

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION No.28/2019
(Suresh G. Sadavarte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

None for the Applicant. Heard Shri N.U. Yadav,
learned Presenting Officer for respondents.

2. As none appeared for the Applicant, S.O. to
22.2.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION No.981/2018
(Sheetal V. Bhosle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

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

2. At the request of the learned Advocate for the Applicant, S.O. to 14.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION No.86/2019
(Bhimrao S. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

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

2. Issue notice returnable on 15-03-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 15.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

MISC. APPLICATION NO.481/2018

IN

**ORIGINAL APPLICATION ST. No.1850/2018
(Himmatrao M. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

None appeared for the Applicant.

Heard Shri D.R. Patil, learned Presenting Officer
for respondents.

2. As none appeared for the Applicant, S.O. to
05.03.2019 for passing dismissal order.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**MISC. APPLICATION NO.45/2019
IN
ORIGINAL APPLICATION ST. No.77/2019
(Smt. Kadubai S. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri R.K. Khandelwal, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. Issue notice returnable on 12-03-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s 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

//2// M.A.45/19 in O.A.st.77/19

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 12.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

MISC. APPLICATION NO.49/2019
IN
ORIGINAL APPLICATION No.713/2018
(Tikaram H. Sarjare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

None appeared for the Applicant.

Heard Smt. Deepali S. Deshpande learned
Presenting Officer for respondents.

2. As none appeared for the Applicant, S.O. to
5.3.2019 for passing dismissal order.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION No.502/2017
(Public Prosecutors' Association V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

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

2. As the pleadings are completed the matter is admitted for final hearing on 05.3.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION No.89/2018
(Sayeda Khalida Md. Naeem V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent Nos.1 & 2. Shri S.R. Pande, learned Advocate for the Respondent No.3 is **absent**.

2. As the pleadings are completed the matter is admitted for final hearing on 22.3.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION No.321/2018
(Babasaheb R. Gatkal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

None appeared for the Applicant.

Heard Smt. Sanjivani K. Deshmukh-Ghate,
learned Presenting Officer for respondents.

2. No affidavit-in-rejoinder is filed by the Applicant.
3. As the pleadings are completed the matter is admitted for final hearing on 29.3.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION No.428/2018
(Sainath J. Korpakwad & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Vishwas B. Wagh, learned Advocate for the Applicant, Shri B.S. Deokar, learned Presenting Officer for respondents and Shri S.B. Mene, learned Advocate for the Respondent No.1.

2. At the request of the learned Advocate for the Applicant, S.O. to 08.03.2019 for final hearing.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION No.548/2018
(Smt. Ganga R. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the Applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondent Nos.1 & 2 and Shri Z. Zaidi, learned Advocate holding for Shri S.N. Deshmukh, learned Advocate for the Respondent No.3.

2. Learned P.O. for the Respondents has produced on record a copy of communication dated 02.02.2019. The same is taken on record.

3. Learned P.O. for the Respondents has submitted that Respondent No.1 & 2 do not want to file affidavit-in-reply in view of the communication dated 02.02.2019.

4. In view of the above, S.O. to 01.03.2019 for filing affidavit-in-reply of Respondent No.4.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

MISC. APPLICATION NO.231/2018

IN

**ORIGINAL APPLICATION ST. NO.1065/2018
(Majid Ismail Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the Applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent Nos.1,3 & 4 and Shri S.D. Dhongde, learned Advocate for the Respondent No.2.

2. Learned P.O. seeks time to file affidavit-in-reply on behalf of the Respondent No.1. Time as prayed for is granted as a last chance.

3. S.O. to 14.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

MISC. APPLICATION NO.517/2018

IN

ORIGINAL APPLICATION NO.97/2018

(Dr. Vijayprakash N. Tambhale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Vishwash B. Wagh, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. By this Misc. Application, the Applicant seeks permission to amend the O.A.

3. Learned P.O. for the Respondents has no objection to allow the M.A., as the amendment is based on the subsequent event.

4. In view of the contention raised by the Applicant in O.A. and submission advanced by the learned P.O., the Misc. Application for amendment is allowed as the proposed amendment is based on the subsequent event occurred after filing Original Application.

5. Accordingly, Misc. Application is allowed. The Applicant shall amend the O.A. forthwith.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.97/2018
(Dr. Vijayprakash N. Tambhale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Vishwash B. Wagh, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply to the amended O.A.
3. Time as prayed for is granted.
4. S.O. to 15.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.213/2017
(Kaniram M. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 07.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.581/2017
(Smt. Mangal S. Kathar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

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

2. At the request of the learned Advocate for the Applicant, S.O. to 07.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.130/2018
(Dr. Yogesh V. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 14.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.775/2018
(Ashwini P. Kankute V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Manish P. Tripathi, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 08.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**MISC. APPLICATION NO.20/2018
IN
ORIGINAL APPLICATION ST. NO.1938/2017
(Madhukar K. Brahmane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Avinash M. Nagarkar, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. Learned P.O. for the Respondents has submitted that he will file affidavit-in-reply on behalf of the Respondent No.3 during the course of the day.

3. S.O. to 14.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

MISC. APPLICATION NO.240/2018

IN

**ORIGINAL APPLICATION ST. NO.1055/2018
(Ashok M. Gadekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Avinash M. Nagarkar, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent No.2. The same is taken on record and copy thereof has been served on the Advocate for the Applicant.

3. S.O. to 14.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

MISC. APPLICATION NO.504/2018

IN

ORIGINAL APPLICATION NO.665/2018

(Zubair Ahmed Abdul Gafoor V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri M.V. Bharuka, learned Advocate holding for Shri S.K. Chavan, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply in Misc. Application. Time granted.

3. S.O. to 13.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.51/2017
(Deelip M. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Rahul Khadap, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 12.03.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.187/2018
(Mukesh K. Gunjal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

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

2. At the request of the learned Advocate for the Applicant, S.O. to 26.02.2019.

MEMBER (J)

SAS ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.69/2018
(Ajabrao Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Shri A.D.Sugdare learned Advocate for the applicant has filed **leave note** on record.

Smt. M.S.Patni learned Presenting Officer for respondents and Shri S.D.Dhongde learned Advocate for respondent no.3, are present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 15-03-2019.

MEMBER (J)

YUK ORAL ORDER 04-02-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO.142/2018
(Suresh Moholkar V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri K.B.Jadhav learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Applicant has challenged the proviso to Rule 129-B (1) of the Maharashtra Civil Services (Pension) Rules, 1982 by filing the present O.A. and he has made following prayer in that regard:

“X/E) To quash and set aside the second proviso of the Rule 129-B (1) of the M.C.S. (Pension) Rules, 1982.”

3. The applicant has challenged the provision of Pension Rules, 1982 and subject matter in that regard is assigned and dealt with by the Division Bench. Therefore, the matter requires to be kept before the Division Bench as per the Circular issued by the Hon'ble Chairman, M.A.T. Mumbai.

4. Registry to take necessary steps in this regard. Case be removed from the board.

MEMBER (J)

YUK ORAL ORDER 04-02-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO.620/2018
(Baban Gadekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Shri V.M.Maney learned Advocate for the applicant is **absent**. Smt. S.K.Shirse learned Presenting Officer for respondents is present.

2. None is present for the applicant. Case be fixed for passing necessary order on 08-03-2019.

MEMBER (J)

YUK ORAL ORDER 04-02-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO.600/2017
(Lata Darade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

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

2. At the request of both sides, S.O. to 22-02-2019.

MEMBER (J)

YUK ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.94/2019
(Sandeep Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant has pointed out the circumstances showing that the impugned order has been passed by the respondent no.3 though he was not empowered on the basis of the report of the Committee which has no authority to do so. He has further pointed out that the impugned order is in contravention of Rule 14 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. He has submitted that respondent no.3 is not the appointing authority of the applicant and therefore in view of the exceptional circumstances and in view of the observations made by the Hon'ble Bombay High Court in case of the **State of Maharashtra V/s. Dr. Subhash**

Dhondiram Mane reported in **2015 (4) Mh.L.J. 791**, the Tribunal can entertain the O.A. in view of S.20(1) of the Administrative Tribunals Act, 1985 as an exceptional case. He has further submitted that the panchnamas and the enquiry report had been fabricated. The Chairman of the Committee was not present at the time of inspection and the report has been subsequently prepared by him. He has submitted that the respondent no.5 made illegal demand from the applicant through the respondent no.6 but the applicant refused to satisfy his demand, and therefore, a false report has been got prepared by the respondent no.3 through respondent no.6 the Additional Collector, Parbhani. Therefore, he has submitted that the Original Application is maintainable. He has further submitted that the impugned order of suspension is illegal and therefore, he has prayed for interim relief.

3. Learned CPO has submitted that the allegations are made against the respondent no.5 and 6, and

therefore, he has prayed for time to take instructions from the respondents.

4. In view of the submissions made by the learned Advocate for the applicant and the documents on record, in my opinion, it is just to issue notice to the respondents by keeping the point/s of maintainability and interim relief open.

5 Hence, issue notice to the respondents, returnable on 18-02-2019.

6. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

7. Applicant is authorized and directed to serve on respondent/s 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.

8. 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.

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

10. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

11. S.O. to 18-02-2019.

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

MEMBER (J)

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.356/2017
(Dr. Shrikrishna Wani V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)

DATE : 04.02.2019

ORAL ORDER :

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Shri B.S.Deokar learned Presenting Officer for respondents.

2. At the request of learned P.O., time is granted to take instructions from the respondents as to when the proposal regarding interest to be paid to the applicant will be submitted to Director, Health Services and when the sanction of the higher authority will be obtained.

3. S.O.05-02-2019.

MEMBER (J)

YUK ORAL ORDER 04-02-2019 bpp

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 118 OF 2018
(Shri Sharad G. Jade Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

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

2. S.O. to 14.02.2019 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.02.2019-HDD

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 165 OF 2017
(Dr. Sunil P. Bhamre Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

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

2. S.O. to 14.02.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.02.2019-HDD

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**O.A.NOS. 160 & 844 BOTH OF 2018
(Shri Nilesh P. Bansude & Anr. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard S/Shri S.S. Dambe & A.S. Kulkarni, learned Advocates for the respective applicants in respective cases and Shri B.S. Deokar, learned Presenting Officer for the respondents in both the cases.

2. Learned Presenting Officer seeks time to file affidavit in reply in O.A. No. 844/2018. It is to be noted that on the last date it was warned that the present OAs are adjourned for filing affidavit in reply, as well as, for final hearing. However, solely at the request of the learned Presenting Officer, S.O. to 20.02.2019 for filing affidavit in reply of the respondents in O.A. No. 844/2018 and also for final hearing of both the cases.

3. It is made clear that if no affidavit in reply is filed on the next date, heavy costs would be imposed on the concerned respondents and / or such other penal action also may be taken against the concerned respondents.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.02.2019-HDD

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 899 OF 2017
(Dr. Vandana V. Shinde Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Shri G.C. Khond, learned Advocate for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent Nos. 1 to 3, present. None appears for respondent No. 4.

2. Learned Presenting Officer submits that sur-rejoinder is required to be filed. At his request, S.O. to 27.02.2019 for filing sur-rejoinder and also for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.02.2019-HDD

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 34 OF 2017
(Shri Chandrakant B. Tayade Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Veshal V. Udhan, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that during the course of the day written notes of arguments would be filed. Upon filing written notes of arguments by the learned P.O., the present case be reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.02.2019-HDD

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO. 440 OF 2017
(Shri Vijay R. Gaikwad Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 04.02.2019

ORAL ORDER :

Shri Vijay B. Patil, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Heard both sides. Upon hearing both the sides, it appears that the selection of the present applicant was cancelled by the concerned respondents on the ground that he is suffering from partial colour blindness.

3. Learned Advocate for the applicant submits that on reference by the concerned respondents the Medical Board of Sir J.J. Group of Hospital, Mumbai, had certified that though the present applicant suffers from partial colour blindness, he is fit to perform the duties of Police Constable, still no appointment is given.

4. Learned Advocate for the applicant point towards order issued by the respondent No. 3 dated Nil of October, 2017; thereby appointing Shri Ravindra Hari Suradkar, who was declared as colour

blind by the Medical Board at the district level and thereafter Sir J.J. Group of Hospital, Mumbai declared him as fit to perform duties of Police Constable. The decision however, does not show as to whether similar certificate as is found in the present application of the applicant that though he suffers from partial colour blindness, still he is fit to perform duties of the Police Constable was policy issued as regards the said candidate Shri Ravindra Suradkar.

5. The respondent No. 3 is, therefore, directed to file the copies of the certificate of the appointed candidate Shri Ravindra Suradkar issued by the Medical Board of Sir J.J. Group of Hospital on the next date.

6. S.O. to 21.02.2019 for compliance of the above order by the respondents.

7. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 91 OF 2019
(Vijaykumar S. Dhainje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 18.3.2019.

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

4. Applicant is authorized and directed to serve on respondent/s 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 18.3.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 843 OF 2018
(Suresh D. Machal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he will file short affidavit along with necessary documents to satisfy the query raised by the Tribunal vide order dtd. 8.1.2019.

3. In the circumstances at the request of learned Advocate for the applicant, S.O. to 21.2.2019 for filing affidavit along with necessary documents on the line of order dtd. 8.1.2019. Learned Advocate to supply copy of said affidavit along with documents to the learned P.O. in advance.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**M.A. 46/2019 IN O.A. ST. 113/2019
(Gajanan S. Chatre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the present misc. application, returnable on 18.3.2019.

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

4. Applicant is authorized and directed to serve on respondent/s 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 18.3.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 97 OF 2019
(Mirkhan Lliyaskhan. Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 12.3.2019.

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

4. Applicant is authorized and directed to serve on respondent/s 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. Without filing detailed affidavit in reply the concerned respondents are directed to go through their own order dtd. 16.2.2017 (Exh. A. page 11), which would show that the punishment is not imposed on the applicant with retrospective effect and as such it appears that the said punishment is from the date of passing of the said order. In view of the said order, the present applicant would be liable for deduction of amount from his pension.

Further the said order would, prima-facie, show that an amount of Rs. 500/- is to be deducted from the pension of the present applicant and D.A. accrued on the said amount is not to be deducted.

It thus prima-facie appears that the concerned respondents are acting beyond the punishment imposed on the applicant. In the circumstances, the concerned respondents are

directed to take into consideration all these facts and take a corrective action in that regard and file a report in that regard before the Tribunal by the next date.

If for any valid reason the concerned respondents come to the conclusion that action as detailed hereinabove is valid, then a short affidavit explaining the reasons be filed on the next date.

9. S.O. to 12.3.2019.

10. Steno copy and hamdast allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO. 815 OF 2018
(Prakash G. Gadhe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 04.02.2019

ORAL ORDER :

None appears for the applicant. Smt. Sanjivani Deshmukh, learned Presenting Officer for the respondents, is present.

2. Learned P.O. submits that she would take instructions from the concerned respondents as to why they are not giving instructions to the learned P.O. on the line of order dtd. 25.10.2018, though a forewarning was given by the Tribunal by the said order to the concerned respondents.

3. In the circumstances, S.O. to 6.2.2019 for compliance of the order dtd. 25.10.2018 with a forewarning that in case no compliance is made by the concerned respondents of the order dtd. 25.10.2018, the Tribunal would be constrained to impose heavy costs on the concerned respondents and also take a strict action against the said respondents.

4. Steno copy allowed for the use of learned P.O.

MEMBER (A)
ARJ ORAL ORDERS 04-02-2019

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 203 OF 2018
(Savita S. Wandhekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

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

2. The applicant seeks appointment to the post of Laboratory Assistant by submitting that the res. no. 3 on her own merit could have been selected by the respondent in Open Female horizontal category at sr. no. 2 Women place instead of her selection in O.B.C. category, thereby making way for the present applicant for selection in O.B.C. Woman category.

3. Learned P.O. points towards para 8 of the affidavit in reply of res. no. 2 (page 47), which would show that after publication of advertisement, the res. no. 2 took a decision to fill in 10 posts instead of 11 posts as advertised and, therefore, horizontal reservation meant for women from Open category was reduced from 2 to 1 (it is averred in the affidavit in reply that in all reservation of 3 women candidates was reduced to 2). Copy of minutes of the said decision of the res. no. 2 is not filed on record.

4. Therefore, the learned P.O. is directed to file on record the copy of minutes of above decision or the copy of said decision of res. no. 2 with a copy thereof to the learned Advocate for the applicant. In the circumstances, S.O. to 7.3.2019 for above compliance from the side of res. no. 2 and also for hearing.

5. Steno copy allowed for the use of learned P.O.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 513 OF 2018
(Ashwini U. Dalvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri M.P. Tripathi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time till 8.2.2019 for compliance on the line of order dtd. 10.1.2019. Vide order dtd. 21.1.2019 also one chance was granted to the concerned respondents to take a fresh decision, if any, on the line of order dtd. 10.1.2019. However, solely at the request of learned P.O., as a last chance, S.O. to 8.2.2019 for taking a fresh decision on the line of order dtd. 10.1.2019, failing which necessary action would be taken against the concerned respondents.

3. Steno copy allowed for the use of learned P.O.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 669 OF 2018
(Balasaheb B. Surwase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Ms. Rebekha Daniel, learned Advocate holding for Shri S.B. Talekar, 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. to 6.3.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO. 39 OF 2018
(Ravi S. Wankhade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri S.R. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed on record copy of decision dtd. 9.1.2019 passed in O.A. no. 576/2018, which is taken on record and marked as document 'X' for the purpose of identification with a copy thereof to the learned P.O. He further submits that O.A. no. 576/2018 and the present O.A. are similar.

3. Learned P.O. seeks time to take instructions from the respondents in O.A. no. 576/2018 as to whether the decision of this Tribunal is challenged before the higher forum and result thereof, if any. At his request, S.O. to 13.3.2019 taking instructions by the learned P.O. on the above line.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO. 533 OF 2013
(Shashikant N. Tidke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent nos. 4 to 10.

2. Learned Advocate, on instructions from the applicant, who is present in the Court hall, submits that the applicant wishes to withdraw the present O.A. He has also filed on record withdrawal pursis signed by the applicant, which is taken on record and marked as document 'X' for the purpose of identification.

3. In the circumstances, the present O.A. is disposed of as withdrawn without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO. 42 OF 2014
(Surekha B. Andhale & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 04.02.2019

ORAL ORDER :

Heard Shri S.R. Sirsath, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. files on record copy of communication received to him from the concerned respondent seeking 8 weeks time for finalization of recruitment rules, which is taken on record and marked as document 'X' for the purpose of identification. It appears that for a period of more than one year the concerned respondents are making a same request.

3. In the circumstances, S.O. to 3.4.2019 as a last chance for finalization of recruitment rules and also for hearing on the line of order dtd. 30.1.2019, failing which heavy costs would be imposed on the concerned respondents and / or a responsible officer may be called in the Tribunal.

4. Steno copy allowed for the use of learned P.O.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 550 OF 2014
(Jagannath K. Kagle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

None appears for the applicants. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. Learned Advocate for the applicants has earlier sought adjournments on 4 occasions for hearing of the present matter. In the circumstances, as a last chance, S.O. to 13.2.2019 either for hearing or for passing necessary order in default.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**M.A. 35/2018 IN O.A. ST. 97/2018
(Nilesh R. Tagad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri S.R. Shirsath, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent no. 1 and Shri M.B. Kolpe, learned Advocate for respondent no. 2.

2. At the request of learned Advocate for res. no. 2 S.O. to 14.2.2019 for filing affidavit in reply in the present M.A. and also for hearing.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 387 OF 2018
(Pramod V. Gite V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri S.S. Ware, learned Advocate for respondent no. 4.

2. Learned C.P.O. seeks time to file additional affidavit in reply of res. no. 3. At his request, S.O. to 7.2.2019 for filing additional affidavit in reply of res. no. 3.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 223 OF 2018
(Madhav V. Kale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present matter is not on today's board. It is already fixed on 5.2.2019. At the request of learned Advocate for the applicant it is taken on board.

3. Learned Advocate for the applicant seeks time for final hearing. At his request, S.O. to 26.2.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 700 OF 2012
(Atharoddin A. Siddique V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Y.P. Deshmukh, 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 14.3.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 141 OF 2018
(Nanda P. Bankar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent no. 1 and Shri A.S. Deshmukh, learned Advocate for respondent no. 2.

2. At the request of learned Advocate for res. no. 2, S.O. to 13.3.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 849 OF 2018
(Dr. Vinod A. Kakade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 19.3.2019 for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 04-02-2019

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 667 OF 2018
(Gajanan P. Khot & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 04.02.2019

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of Shri Rajkar, learned Advocate holding for Shri Joshi, learned Advocate for the applicants, S.O. to 11.3.2019 for filing rejoinder.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 04-02-2019