

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 211/2018 in O.A. No. 441/2018
(Shri Shivanand T. Taksale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

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

DATE : 04.07.2018.

ORAL ORDER :

Heard Ms. Sangeeta Nenwani, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Accepting the grounds and reasons contained in the M.A. No. 211/2018, it is partly allowed.

3. O.A. No. 441/2018 be returned to the applicant/his Advocate for filing at Aurangabad. Transmit this order to Mumbai. Applicant shall take hand delivery of this order to Mumbai.

4. Accordingly, M.A. No. 211/2018 is disposed of without any order as to costs.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 457 OF 2018
(Dr. Sharad G. Phatale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 09.08.2018.

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. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Reply be filed on or before 09-08-2018.
9. S.O. 09-08-2018.
10. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 364 OF 2018
(Shri Balu B. Hile V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for leave of this Tribunal to amend the O.A.

3. Leave as prayed for by the applicant is granted.

4. Divisional Commissioner, Nashik is called to show cause as to why present O.A. should not be entertained on the sole ground and fact contained/pleaded in paragraph No. 16 of O.A.

5. Affidavit in reply be filed on or before 09.07.2018.

6. It shall not be necessary to file affidavit in reply, if the applicant's appeal or application for stay is decided before 09.07.2018.

7. S.O. to 09.07.2018.

8. Learned P.O. is directed to communicate this order.

9. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 459 OF 2018
(Shri Bhaidas D. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 20.08.2018.

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. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. The applicant shall be free to join at transferred place. In case the applicant succeeds in O.A., the applicant's position can be restored.
9. Reply be filed on or before 20-08-2018.
10. S.O. 20-08-2018.
11. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 467 OF 2018
(Shri Dilip T. Bagule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 20.08.2018.

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. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. The applicant shall be free to join at transferred place. In case the applicant succeeds in O.A., the applicant's position can be restored.
9. Reply be filed on or before 20-08-2018.
10. S.O. 20-08-2018.
11. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 889 OF 2018
(Shri Bhagwanrao V. Tummalwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for leave of this Tribunal to withdraw the present Original Application.

3. Leave as prayed for by the learned Advocate for the applicant is granted.

4. Accordingly, O.A. is disposed of as withdrawn without any order as to costs.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 468 OF 2018
(Shri Ravikiran M. Ghante V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

Heard Shri A.T. Jagtap, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 27.08.2018.

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. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Heard on the point of interim relief.

9. The applicant has demonstrated from Page Nos. 25 and 26 that Respondent No. 3 prima-facie hails from Hiparga, Tq. Omarga, Dist. Osmanabad, while he has applied for appointment at village Nandgaon, Tq. Tuljapur, Dist. Osmanabad.

10. It shall suffice to order that order of appointment in favour of respondent No. 3 shall not be issued without actual verification of fact of residence of respondent No. 3 and giving hearing to the applicant personal hearing.

11. Learned Presenting Officer is directed to communicate this order to the respondents.

12. Steno copy and hamdust is allowed to both the sides.

13. S.O. 27-08-2018 with liberty to circulate before due date.

CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 51 OF 2018
(Shri David S. Ganthur and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. The Superintendent of Police, Jalna is directed to produce record, which could reflect if the affidavit in reply filed by Shri Abhay Bhaskar Deshpande, Dy. Superintendent of Police, Jalna on 04.04.2018 was approved by Superintendent of Police, Jalna.

3. S.O. to 05.07.2018.

4. Learned P.O. is directed to communicate this order.

5. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 349 OF 2018
(Shri Prakash N. Pole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Admittedly, the applicant is reinstated and the Departmental Enquiry is pending.

3. It shall suffice to observe that the applicant shall be paid subsistence allowances as per rules.

4. This Original Application is disposed of with a direction to complete the Departmental Enquiry expeditiously by diligently pursuing it.

5. There shall be no order as to costs.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 168/2017 in O.A. St. No. 404/2017
(Shri Mariba Y. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Prayer clause B-1 in M.A. is struck off as misplaced.

3. Accepting the grounds and reasons explaining the delay caused in filing of accompanying O.A., the delay is condoned. M.A. is allowed in terms of prayer clause 7 (B).

4. Accordingly, M.A. No. 168/2017 is disposed of without any order as to costs.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION ST. NO. 404 OF 2017
(Shri Mariba Y. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 23.08.2018.

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. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Reply be filed on or before 23-08-2018.
9. S.O. 23-08-2018.
10. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**M.A. No. 49/2018 in O.A. St. No. 217/2018
(Shri Kiran K. Phad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Accepting the grounds and reasons offered by the applicant towards the delay caused in filing of accompanying O.A., the delay is condoned. M.A. No. 49/2018 is allowed.

4. Accordingly, M.A. No. 49/2018 is disposed of without any order as to costs.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION ST. NO. 217 OF 2018
(Shri Kiran K. Phad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.08.2018.

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. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Reply be filed on or before 27-08-2018.
9. S.O. 27-08-2018.
10. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 293 OF 2018
(Smt. Vishakha V. Sawate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

Shri P.A. Salve, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. The applicant and his Advocate are absent. They were absent even on the previous date.

3. In view of the above, it appears that the applicant and his Advocate are not interested in prosecuting the present Original Application. Hence, the present O.A. is dismissed for want of prosecution.

4. There shall be no order as to costs.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 294 OF 2018
(Shri Yashwant D. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

Shri P.A. Salve, learned Advocate for the applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents, present.

2. The applicant and his Advocate are absent. They were absent even on the previous date.

3. In view of the above, it appears that the applicant and his Advocate are not interested in prosecuting the present Original Application. Hence, the present O.A. is dismissed for want of prosecution.

4. There shall be no order as to costs.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 288 OF 2018
(Shri Rajendra V. Marale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 04.07.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has tendered affidavit in reply affirmed by Shri Rajendra Tanbaji Dhamne, Deputy Inspector General of Prisons, Central Region, Aurangabad. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Perusal of the affidavit in reply, it reveals that it is drafted as it by a simpleton. All averments and paragraphs of Original Application have not been replied, though apparently inevitable.

4. In the background that the Original Application is drafted in a shrewd manner. The affidavit in reply ought to have been drafted with utmost vigilance identifying pitfalls therein, more particularly when allegations of serious nature against the applicant is the cause which has propelled the transfer.

5. In the aforesaid background that earlier affidavit affirmed by Shri Rajendra Tanbaji Dhamne, Deputy Inspector General of Prisons, Central Region,

Aurangabad, is not carefully drafted, Dr. Bhushankumar Upadhyaye, Director General of Police and Inspector General of Prisons, is directed to file his own affidavit in reply answering each paragraph, point and ground contained in O.A.

6. Four weeks' time is granted for filing affidavit in reply. Though four weeks' time is granted the affidavit may be filed before due date and date fixed herein may be advanced by making a request.

7. S.O. to 06.08.2018. Status quo granted earlier to continue till next date.

8. Learned P.O. is directed to communicate this order to the concerned respondents.

9. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 04-07-2018

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

O.A.NO.535/2013 WITH O.A.NO. 575/2013

[Smt. Shubhangi A. Shejule & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri S.S. Jadhavar, learned Advocate for the applicants in both these cases and Shri N.U. Yadav, learned Presenting Officer for the respondents in both these cases.

2. At the request of learned Presenting Officer for the respondents, S.O. to 13th July, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 79 OF 2017

[Md. Kamran Md. Abrar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 26th July, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

M.A.NO. 177/2018 IN O.A.NO. 316/2018

[Dr. Smt. Jayshri P. Bhusare Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri Avinash S. Deshmukh, learned Advocate holding for Shri Vivek V. Ingale, learned Advocate for the applicant in M.A., Shri M.P. Gude, learned Advocate for respondent Nos. 23 to 25 and Shri V.B. Wagh, learned Advocate for the applicants in O.A.

2. Heard all the sides.

3. Learned Advocate Shri V.B. Wagh for the applicants in O.A. fairly submits that the necessary orders may be passed.

4. By the present Miscellaneous Application, the applicant (Dr. Smt. Jayshri Pralhadrao Bhusare) prayed for modification of the interim relief granted earlier in O.A. No. 316/2018 on 18.5.2018. The applicant herein submits that interim relief may be continued regarding other respondents as there is no clash of interest between the present applicant and applicants in O.A. The State naturally would have no objection for vacation of interim relief to the said extent.

5. In the circumstances, the interim order dated 18.5.2018 in terms of prayer clause 26 (a) of the O.A.

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**M.A.NO. 177/2018 IN
O.A.NO. 316/2018**

is vacated, so far as the present applicant (respondent No. 4 in O.A. viz. Dr. Smt. Jayshri Pralhadrao Busare) is concerned. The present M.A. is accordingly disposed of in above terms without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 316 OF 2018

[Dr. Dattatraya B. Gholap & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicants, Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 to 3 and Shri Avinash S. Deshmukh, learned Advocate holding for Shri Vivek V. Ingale, learned Advocate for respondent No. 4.
2. At the request of learned Presenting Officer, S.O. to 13th August, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

M.A.NO. 168/2018 IN O.A.NO. 50/2017

[Shri Balesh D. Bhendekar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The present Miscellaneous Application has been filed by the applicant seeking permission to carry out the amendment in the O.A. No. 50/2017.

3. Learned Advocate for the applicant points out that in fact the amendment is proposed in view of the contentions raised in the affidavit in reply.

4. In the circumstances, the present M.A. No. 168/2018 for amendment is hereby allowed and disposed of without any order as to costs.

5. The proposed amendment be carried out within a period of one week.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 50 OF 2017

[Shri Balesh D. Bhendekar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. S.O. to 23rd July, 2018 for further hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 299 OF 2018

[Shri Yogesh D. Patil Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents and Shri M.B. Kolpe, learned Advocate for proposed intervenors.
2. Learned Presenting Officer has filed affidavit in reply and the same is taken on record and the copy thereof has been served on the other side.
3. Learned Advocate for the applicant submits that in view of grant of M.A. for intervention, the applicants therein were directed to be added as respondents in O.A. However, inadvertently he failed to add intervenors as party respondents in O.A.
4. The applicant shall add intervenors as party respondents in O.A. during the course of the day.
5. S.O. to 25th July, 2018. The Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

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

O.A.NOS. 270, 274, 275 & 276 ALL OF 2018

[Shri Ravindra B. Takale & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri S.R. Zambare, learned Advocate holding for Shri N.B. Narwade & Shri D.A. Bide, learned Advocates for the respective applicants in respective cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases.

2. Learned Chief Presenting Officer has filed a copy of communication dated 4.7.2018 received to him from respondent No. 3, the Superintendent of Police, Ahmednagar, to the effect that the opinion is sought from Law & Judiciary Department in view of the directions issued vide order dated 3.5.2018.

3. At the request of learned C.P.O., S.O. to 14th August, 2018 either for filing affidavit in reply or for taking corrective steps.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 126 OF 2018

[Dr. Shukracharya Gokul Dudhal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri S.S. Dambe, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 13th August, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 57 OF 2018

[Shri Uttam T. Dabhade & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that there are no instructions regarding corrective steps. He seeks time to file reply. It is to be noted that vide order dated 29.1.2018, it was directed that the concerned respondents may take corrective steps and may file report about the same. However, no instructions are given to the learned Presenting Officer though in the meantime many chances are granted to the concerned respondents.
3. In the circumstances, as a last chance, at the request of learned Presenting Officer, S.O. to 1st August, 2018, with a forewarning that in case no corrective steps are taken or no affidavit in reply is filed, this Tribunal would be constrained to impose heavy costs on the concerned respondents.
4. Learned Presenting Officer for the respondents to act on steno copy.

MEMBER (A)
ORAL ORDERS 04.07.2018-HDD

VICE CHAIRMAN

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

C.P.NO. 17/2018 IN O.A.NO. 191/2015

[Smt. Surekha C. Hazari & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Smt. Sangeeta Nenwani, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that there are oral instructions from the concerned respondents to the effect that the decision of this Tribunal is being challenged in the Hon'ble High Court. At his request, S.O. to 7th August, 2018 for taking steps or for compliance.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 689 OF 2017

[Shri Babasaheb N. Andhale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to take instructions from the respondents regarding filing of sur-rejoinder, if any and submitted that it would be filed, if necessary. At his request, S.O. to 17th August, 2018 for filing sur-rejoinder, if any.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 105 OF 2017

[Shri Nagesh S. Mapari Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri Avinash S. Deshmukh, learned Advocate holding for Shri G.K. Kshirsagar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 & 2 and Shri S.G. Kawade, learned Advocate for respondent Nos. 4, 5 & 10. None appears for other respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 1. It is to be noted that notices were issued long back to the respondents and many chances are granted. However, in the interest of justice, as a last chance, S.O. to 30th July, 2018 to file affidavit in reply of respondent No. 1.

3. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 74 OF 2018

[Shri Bhagwan B. Chemate Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri S.D. Munde, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 19th July, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 32 OF 2018

[Shri Shahadeo S. Bangar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24th July, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 85 OF 2017

[Smt. Nikita K. Bhange Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Shri J.M. Murkute, learned Advocate for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, present.

2. In view of absence of learned Advocate for the applicant, S.O. to 14th August, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 697 OF 2016

[Dr. Santosh S. Hindole & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants, on instructions from the applicants, submits that the applicants do not wish to proceed with the present Original Application and want to withdraw the same.

3. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application is disposed of as withdrawn without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

ORIGINAL APPLICATION NO. 957 OF 2017

[Shri Madan D. Dube Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.07.2018.

ORAL ORDER :

1. Shri J.M. Murkute, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for respondent No. 1 and Shri Shamsundar B. Patil, learned Advocate for respondent Nos. 2 & 3.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 and the same is taken on record.

3. Learned Advocate for respondent Nos. 2 & 3 seeks time to file affidavit in reply. Time granted.

4. S.O. to 27th August, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 04.07.2018-HDD

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

**ORIGINAL APPLICATION NO. 583/2014
(Bhausahab S. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.7.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of Shri Khadap, learned Advocate holding for Shri Thombre, learned Advocate for the applicant, S.O. to 17.7.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-7-2018

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

**ORIGINAL APPLICATION NO. 600/2014
(Amolsinh P. Gour V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.7.2018

ORAL ORDER :

Heard Shri S.B. Bhosale, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks liberty of the Tribunal to file sur-rejoinder of res. nos. 2 & 3. Liberty as prayed for is granted. The sur-rejoinder of res. nos. 2 & 3 is taken on record and copy thereof has been served upon the learned Advocate for the applicant. Learned Advocate for the applicant seeks time to go through the sur-rejoinder and make his submissions. At his request, S.O. to 19.7.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 612/2014
(Vidya T. Sakhare & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.7.2018

ORAL ORDER :

Heard Smt. Juee Palekar - Parlikar, learned Advocate holding for Shri R.L. Kute, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. At the request of Smt. Palekar - Parlikar, learned Advocate holding for Shri R.L. Kute, learned Advocate for the applicant, S.O. to 23.7.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-7-2018

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

**ORIGINAL APPLICATION NO. 621/2014
(Ashok N. Mulgir V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.7.2018

ORAL ORDER :

None appears for the applicant. Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 16.7.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-7-2018

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

**M.A. 205/2018 IN O.A. ST. 987/2018
(Santosh U. Mandage & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.7.2018

ORAL ORDER :

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

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. In the circumstances, the present M.A. is disposed without any order as to costs and the accompanying O.A. be registered and numbered after due scrutiny.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. ST. 987/2018
(Santosh U. Mandage & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.7.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 28.8.2018.

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

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. 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 28.8.2018.

9. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 738/2013
(Jyoti Vishnu Pagare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.7.2018

ORAL ORDER :

Heard Shri H.V. Tungar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By the present O.A. the applicant is seeking quashment of selection & appointment order dtd. 8.11.2013 of res. no. 5 – Smt. Shobha Shrimant Jadhav - for the post of Peon in Land Records Department, Beed issued by the res. nos. 1 to 4 and also prayed for issuance of directions to the concerned respondents to issue appointment order in favour of the present applicant as a Peon pursuant to the advertisement dtd. 21.7.2013.

3. Upon hearing both the sides, it appears that the selection process under challenge is of the year 2013. Admitted facts are that the res. no. 5 had secured lesser marks in written

test, she obtained more marks in the oral interview, while the present applicant, though secured more marks in the written test, ultimately secured less marks in the oral interview. The learned Advocate for the applicant submits that, in fact, for the post of Peon no oral interviews are required.

4. Upon hearing both the sides, it appears that at the relevant time the Rules in field did not prohibit any oral interview and since the res. no. 5 was in overall performance i.e. in written as well as oral tests, found more meritorious than the present applicant, no interference at the hands of this Tribunal is called for in the present matter. In the circumstances, the present O.A. is dismissed without any order as to costs.

MEMBER (A)

VICE CHAIRMAN