

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

**ORIGINAL APPLICATION NO. 365 OF 2019
(Shri Nilesh W. Mahajan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent No. 1.

2. Learned Advocate Shri V.G. Pingle, has filed **VAKALATNAMA** on behalf of respondent No. 2. Same is taken on record. He seeks time for filing affidavit in reply on behalf of respondent No. 2. Time granted.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent No. 1. Time granted.

4. S.O. to 16.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 241 OF 2019
(Shri Chandrakant P. Patange and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for respondent No. 1 and Shri G.N. Patil, learned Advocate for respondent No. 4.
2. Learned Advocate Shri S.B. Mene, has filed **VAKALATNAMA** on behalf of respondent Nos. 2, 3 & 5. Same is taken on record. He seeks time for filing affidavit in reply on behalf of respondent Nos. 2, 3 & 5. Time granted.
3. Learned Presenting Officer, as well as, learned Advocate for respondent No. 4 seeks time for filing affidavit in reply. Time granted.
4. S.O. to 07.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 379 OF 2017
(Shri Sanjay N. Nade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, as a last chance, S.O. to 24.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**M.A. No. 135/2019 in O.A. St. 527/2019
(Shri Rajkumar S. Padvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. Learned Presenting Officer has submitted that during the course of the affidavit in reply on behalf of respondents in M.A. would be filed. He undertakes to serve the copy of affidavit in reply to the learned Advocate for the applicant.

3. S.O. to 06.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 496 OF 2019
(Shri Namdeo B. Pable V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

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

2. As none present for the applicant, S.O. to 11.07.2019 for passing necessary order.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 548 OF 2019
(Smt. Meenabai P. Sonwane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri R.S. Patil, learned Advocate holding for Shri V.B. Dhage, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 564 OF 2019
(Shri Vijay M. Lad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 07.08.2019.

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 07.08.2019.

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

VICE CHAIRMAN

KPB ORAL ORDER 04.07.2019.

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

**M.A. No. 276/2019 in O.A. St. No. 871/2019
(Shri Rakesh T. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri S.N. Suryawanshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the prayer causes of the O.A.
3. Leave as prayed for is granted.
4. Hence, the present matter is removed from the board and it be kept after carrying out the necessary amendment in the O.A.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**M.A. No. 285/2019 in O.A. St. No. 954/2019
(Shri Bhaskar D. Baviskar and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for 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. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION ST. NO. 954 OF 2019
(Shri Bhaskar D. Baviskar and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 32 OF 2017
WITH
ORIGINAL APPLICATION NO. 199 OF 2017
WITH
ORIGINAL APPLICATION NO. 610 OF 2017
(Smt. Subhadrabai N. Sonwane & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri S.K. Mathpati, learned Advocate for the applicants in all these O.As. and Shri B.S. Deokar, learned Presenting Officer for respondents in all these O.As., present. Shri M.L. Muthal, learned Advocate for respondent No. 5 in O.A. No. 610/2017 (**Absent**).
2. Learned Presenting Officer has filed affidavit in affidavit in reply on behalf of respondent Nos. 1, 3 & 4 in O.A. No. 610/2017. Same is taken on record and copy thereof has been served on the other side.
3. As none present for the applicants, S.O. to 28.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 913 OF 2017
(Shri Dilipkumar R. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 08.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 417 OF 2018
(Shri Chagan B. Chavan and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. Both sides submit that since the issue involved in the present O.A. is pending with the Hon'ble High Court has not yet been decided, the present matter be adjourned.

3. S.O. to 01.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 835 OF 2018
(Shri Sunil K. Pawara V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Shri C.V. Bhadane, learned Advocate for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 11.07.2019 for passing necessary orders.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 928 OF 2018
(Smt. Kavita D. Hiwrale & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Deeplai S. Deshpande, learned Presenting Officer for respondents.
2. Learned Presenting Officer seeks time to produce on record some documents. Time granted.
3. S.O. to 08.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 40 OF 2019
(Dr. Manisha R. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

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

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

3. S.O. to 14.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 98 OF 2019
(Shri Pandurang M. Chandanshiv V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri L.H. Kawale, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 and Shri V.M. Chate, learned Advocate for respondent Nos. 2 & 3.
2. Learned Advocate for the applicant has submitted that in the present O.A. the nomenclature of respondent No. 2 has been wrongly mentioned and therefore, he wants to amend the O.A. He has further submitted that he wants to add one more respondent as party respondent to the present O.A. and therefore, he seeks leave of this Tribunal to amend the same.
3. Leave as prayed for is granted. The applicant shall amend the O.A. on or before the next date.
4. S.O. to 19.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 112 OF 2019
(Smt. Sheela H. Mohite V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri S.P. Dhoble, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.
2. Learned Advocate for the applicant has placed on record some documents. Same are taken on record.
3. Learned Chief Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted as a last chance.
4. S.O. to 01.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 138 OF 2019
(Shri Dnyanoba K. Ovhal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri D.T. Devane, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.
2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 and 2. Time granted as a last chance.
3. S.O. to 02.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 190 OF 2019
(Dr. Chandrakant B. Lamture V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Shri J.S. Deshmukh, learned Advocate for the applicant (**Absent**).

Heard Shri B.S. Deokar, learned Presenting Officer for respondents.

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

3. S.O. to 26.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 206 OF 2019
(Smt. Amruta R. Paralikar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri N.N. Bhagwat, learned Advocate holding for Shri C.K. Shinde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.
2. Learned Chief Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted as a last chance.
3. S.O. to 22.07.2019. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 338 OF 2019
(Shri Chandrabhan B. Thorat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Heard Shri O.D. Mane, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.
2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 08.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**ORIGINAL APPLICATION NO. 357 OF 2019
(Shri Trimbak G. Kautkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

1. Shri J.M. Murkute, learned Advocate for the applicant (**Absent**).

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

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

3. S.O. to 05.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**M.A. No. 411/2018 in O.A. No. 261/2017
(Shir Shivram Y. Survase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 04.07.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to take instructions from the applicant as to whether she wishes to proceed with the present matter or not? Time granted.

3. S.O. to 28.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 04.07.2019

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

**T.A.NO.03/2018 IN W.P.NO.9260/2018
(Mangesh Datar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 04.07.2019.

ORAL ORDER :

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned C.P.O. seeks time to file affidavit in reply on behalf of the respondents in view of the direction given by this Tribunal in order dated 14-01-2019. Time is granted.

3. S.O. to 19-07-2019.

VICE CHAIRMAN

YUK ORAL ORDER 04.07.2019 bpp

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

**ORIGINAL APPLICATION NO.362/2018
(Ganesh Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 04.07.2019.

ORAL ORDER :

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

2. Learned P.O. seeks time to file detailed affidavit on behalf of the respondents. Time is granted.

3. S.O. to 18-07-2019.

VICE CHAIRMAN

YUK ORAL ORDER 04.07.2019 bpp

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

**ORIGINAL APPLICATION NO.851/2018
(Krushnadas Palsikar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 04.07.2019.

ORAL ORDER :

Shri P.A.Kulkarni learned Advocate for the applicant is **absent**. Shri K.S.Solanke learned Advocate for respondent no.4 is **absent**.

Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Since none is present for the applicant, S.O. to 27-07-2019.

VICE CHAIRMAN

YUK ORAL ORDER 04.07.2019 bpp

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

**ORIGINAL APPLICATION NO.534/2019
(Mahesh Badake V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 04.07.2019.

ORAL ORDER :

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to file service affidavit so far as respondent no.1 is concerned. Time is granted.

3. S.O. to 12-07-2019.

VICE CHAIRMAN

YUK ORAL ORDER 04.07.2019 bpp

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

**M.A.ST.NO.1194/2019 IN O.A.NO.792/2012
(Santosh Ghodkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 04.07.2019.

ORAL ORDER :

Heard Shri Taher Ali Quadri learned Advocate for the applicant and Smt. M.S.Patni learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 22-07-2019.

VICE CHAIRMAN

YUK ORAL ORDER 04.07.2019 bpp

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

**CHAMBER APPEAL NO. 14 OF 2019
(Shri Ashok Madan Prakashkar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

DATE : 04.07.2019

ORAL ORDER :

Heard Shri D.M. Pingle – learned Advocate for the applicant.

2. Vide order dated 03.08.2018 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 29.06.2018 the office has raised the following office objections:-

- 1) I.P.O. of Rs. 50/- deficit;
- 2) On page No. 11 verification not signed by the Advocate; and
- 3) Detailed address of respondent Nos. 3 & 4 not given.

3. Vide office note dated 31.07.2018 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicant and office objections not removed.

4. The applicant has made prayer for condonation of delay of about 250 days in Chamber Appeal No. 14/2019.

5. The learned Advocate for the applicant appeared today and undertakes to remove the office objections forthwith.

CHAMBER APPEAL NO. 14/2019

6. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objection in spite of repeated chances. The fact that the O.A. is for pension and pesionery benefits / provisional pension and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the interest of justice to allow the appeal by condoning delay of about 250 days caused in filing Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:

ORDER

- (i) Delay of about 250 days caused in filing Chamber Appeal stands condoned.
- (ii) The Chamber Appeal No. 14/2019 is allowed as the applicant undertakes to remove the office objections forthwith.
- (iii) Registrar of this Tribunal Bench at Aurangabad is directed to place this matter before the appropriate Bench for hearing after removing the office objections by the learned Advocate for the applicant.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 42/2018
(Shri Tukaram P. Bondre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned
Advocate for the applicant and Shri B.S. Deokar,
learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 5.8.2019.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

**ORIGINAL APPLICATION NO. 189/2018
(Shri Dhiraj A. Salve & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri R.O. Awasarmol, learned Advocate for the applicants, 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 8.

2. At the request of learned Advocate for the applicants, S.O. to 9.8.2019 for filing additional documents as referred in the order dated 8.4.2019.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

**ORIGINAL APPLICATION NO. 392/2018
(Shri Chandrakant R. Kapse V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri A.M. Hazare, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent nos. 1 to 3. None appears for other respondents.

2. By consent of both the sides, S.O. to 9.8.2019.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

**ORIGINAL APPLICATION NO. 422/2018
(Dr. Raghuvir V. Bhosale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 8.8.2019 for filing rejoinder, if any.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

**ORIGINAL APPLICATION NO. 592/2018
(Shri Nilesh B. Pardeshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri Zahed Sayed Ali, learned Advocate holding for Shri A.S. Golegaonkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 & 2 and Shri R.S. Patil, learned Advocate for respondent no. 3.

2. At the request of learned Presenting Officer, S.O. to 9.8.2019 for filing affidavit in reply of res. no. 1.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

**ORIGINAL APPLICATION NO. 608/2018
(Shri Narendra S. Suryawanshi & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri V.V. Gujar, learned Advocate holding
for Shri R.P. Bhumkar, learned Advocate for the
applicants and Shri D.R. Patil, learned Presenting
Officer for the respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 8.8.2019 for filing rejoinder, if any.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

**ORIGINAL APPLICATION NO. 756/2018
(Shri Barindrakumar C. Gavit V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply of res. no. 2. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

3. He seeks time to file affidavit in reply of res. no. 1. Time granted.

4. S.O. to 8.8.2019.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

**M.A. NO. 506/2018 IN O.A. ST. 1951/2018
(Shri Sajed Khan Ajiz Khan Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 to 3 and Shri D.T. Devane, learned Advocate holding for Shri C.B. Gore, learned Advocate for respondent nos. 5 & 6. None appears for respondent nos. 4 & 7.

2. With the consent of both the sides, S.O. to 5.8.2019.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

**ORIGINAL APPLICATION NO. 654/2013
(Dr. Amol S. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Smt. Surekha Mahajan, learned Advocate for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 21.8.2019.

VICE CHAIRMAN

ARJ ORAL ORDER 4.7.2019

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

ORIGINAL APPLICATION NO.339 OF 2019
(Dr. Kishor S. Ubale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmuk, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 1.08.2019 as a last chance.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**ORIGINAL APPLICATION NO.340 OF 2019
(Dr. Kishor S. Ubale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 4.7.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmuk, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 1.08.2019 as a last chance.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**M.A.NO.480 OF 2018 IN O.A.ST.NO.1939 OF 2018
(Paraji G. Jorule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondent Nso.1 to 3. Shri R.M. Lone, learned Advocate for the Respondent No.4 is **absent**.

2. For the reasons mentioned in para no.5 of the application, Misc. Application is allowed on payment of cost of Rs.3000/- by the Applicant and the delay of 7 months and 26 days caused for filing the Original Application is hereby condoned.

3. The Applicant shall deposit the cost within a period of two weeks i.e. on or before 19.07.2019. On failure to deposit the cost by the Applicant within stipulated time, the Misc. Application stands dismissed without reference to the Tribunal.

4. On depositing the amount of cost of Rs.3000/- by the Applicant, the Original Application be registered on due scrutiny.

VICE CHAIRMAN

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

**M.A.NO.100 OF 2019 IN O.A.ST.NO.352 OF 2019
(Vishal N. Jogdand V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. This is an application filed by the Applicant for condonation of delay caused for filing the Original Application.

3. For the reasons stated in the M.A., the same is allowed. The delay of 4 months and 4 days caused for filing the Original Application is hereby condoned.

4. Accordingly, the M.A. stands disposed of. The registry is directed to register the O.A. after due scrutiny. There shall be no order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

ORIGINAL APPLICATION ST.NO.352 OF 2019
(Vishal N. Jogdane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that the Applicant is pressing the relief as regards direction to the Respondent No.2 to decide his representation/application, claiming appointment on class-4 post as legal heir/nominee of retired government employee working on the post of Sweeper. He has submitted that with suitable directions to the Respondent No.2, the Original Application may be disposed of.

3. Learned P.O. for the Respondents has submitted that the Original Application may be disposed of with a direction to the Respondent No.2 to decide the representation/application of the Applicant within reasonable period.

4. On perusal of record it reveals that the representation/ application filed by the Applicant claiming appointed on class-4 post as legal heir/nominee of retired Sweeper is pending with the Respondent No.2. Therefore, it is just to dispose of the Original Application with a direction to the Respondent No.2 to decide the application/representation of the Applicant within stipulated time as per rules.

5. In view of the above, the Original Application is disposed of with a direction to the Respondent No.2 to take decision on the application/representation dated 14.03.2017 and 06.10.2018 filed by the Applicant on merit as per the rules within three months from the date of this order and communicate the decision to the Applicant in writing. No order as to cost.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**M.A.NO.101 OF 2019 IN O.A.ST.NO.348 OF 2019
(Devidas M. Chandane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. This is an application filed by the Applicant for condonation of delay caused for filing the Original Application.

3. For the reasons stated in the M.A., the same is allowed. The delay of 6 months and 4 days caused for filing the Original Application is hereby condoned.

4. Accordingly, the M.A. stands disposed of. The registry is directed to register the O.A. after due scrutiny. There shall be no order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**ORIGINAL APPLICATION ST.NO.348 OF 2019
(Devidas M. Chandane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that the Applicant is pressing the relief as regards direction to the Respondent No.2 to decide his representation/application, claiming appointment on class-4 post as legal heir/nominee of retired government employee working on the post of Sweeper. He has submitted that with suitable directions to the Respondent No.2, the Original Application may be disposed of.

3. Learned P.O. for the Respondents has submitted that the Original Application may be disposed of with a direction to the Respondent No.2 to decide the representation/application of the Applicant within reasonable period.

4. On perusal of record it reveals that the representations/ applications filed by the Applicant claiming appointed on class-4 post as legal heir/nominee of retired Sweeper is pending with the Respondent No.2. Therefore, it is just to dispose of the Original Application with a direction to the Respondent No.2 to decide the applications/representations of the Applicant within stipulated time as per rules.

5. In view of the above, the Original Application is disposed of with a direction to the Respondent No.2 to take decision on the applications/representations dated 14.03.2017, 06.04.2017, 05.08.2017, 12.07.2017, 11.09.2017 and 03.10.2018 filed by the Applicant on merit as per the rules within three months from the date of this order and communicate the decision to the Applicant in writing. No order as to cost.

VICE CHAIRMAN

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

**M.A.NO.102 OF 2019 IN O.A.ST.NO.356 OF 2019
(Sham S. Thorat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. This is an application filed by the Applicant for condonation of delay caused for filing the Original Application.

3. For the reasons stated in the M.A., the same is allowed. The delay of 2 years and 1 month caused for filing the Original Application is hereby condoned.

4. Accordingly, the M.A. stands disposed of. The registry is directed to register the O.A. after due scrutiny. There shall be no order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**ORIGINAL APPLICATION ST.NO.356 OF 2019
(Sham S. Thorat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that the Applicant is pressing the relief as regards direction to the Respondent No.2 to decide his representation/application, claiming appointment on class-4 post as legal heir/nominee of retired government employee working on the post of Sweeper. He has submitted that with suitable directions to the Respondent No.2, the Original Application may be disposed of.

3. Learned P.O. for the Respondents has submitted that the Original Application may be disposed of with a direction to the Respondent No.2 to decide the representation/application of the Applicant within reasonable period.

4. On perusal of record it reveals that the representation/ application filed by the Applicant claiming appointed on class-4 post as legal heir/nominee of retired Sweeper is pending with the Respondent No.2. Therefore, it is just to dispose of the Original Application with a direction to the Respondent No.2 to decide the application/representation of the Applicant within stipulated time as per rules.

5. In view of the above, the Original Application is disposed of with a direction to the Respondent No.2 to take decision on the application/representation dated 16.01.2016 filed by the Applicant on merit as per the rules within three months from the date of this order and communicate the decision to the Applicant in writing. No order as to cost.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**M.A.NO.103 OF 2019 IN O.A.ST.NO.354 OF 2019
(Amol S. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. This is an application filed by the Applicant for condonation of delay caused for filing the Original Application.

3. For the reasons stated in the M.A., the same is allowed. The delay of 2 years and 2 months caused for filing the Original Application is hereby condoned.

4. Accordingly, the M.A. stands disposed of. The registry is directed to register the O.A. after due scrutiny. There shall be no order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**ORIGINAL APPLICATION ST.NO.354 OF 2019
(Amol S. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that the Applicant is pressing the relief as regards direction to the Respondent No.2 to decide his representation/application, claiming appointment on class-4 post as legal heir/nominee of retired government employee working on the post of Sweeper. He has submitted that with suitable directions to the Respondent No.2, the Original Application may be disposed of.

3. Learned P.O. for the Respondents has submitted that the Original Application may be disposed of with a direction to the Respondent No.2 to decide the representation/application of the Applicant within reasonable period.

4. On perusal of record it reveals that the representation/ application filed by the Applicant claiming appointed on class-4 post as legal heir/nominee of retired Sweeper is pending with the Respondent No.2. Therefore, it is just to dispose of the Original Application with a direction to the Respondent No.2 to decide the application/representation of the Applicant within stipulated time as per rules.

5. In view of the above, the Original Application is disposed of with a direction to the Respondent No.2 to take decision on the application/representation dated 03.10.2018 filed by the Applicant on merit as per the rules within three months from the date of this order and communicate the decision to the Applicant in writing. No order as to cost.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**M.A.NO.104 OF 2019 IN O.A.ST.NO.350 OF 2019
(Govind N. Londhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. This is an application filed by the Applicant for condonation of delay caused for filing the Original Application.

3. For the reasons stated in the M.A., the same is allowed. The delay of 1 years and 7 months caused for filing the Original Application is hereby condoned.

4. Accordingly, the M.A. stands disposed of. The registry is directed to register the O.A. after due scrutiny. There shall be no order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**ORIGINAL APPLICATION ST.NO.350 OF 2019
(Govind N. Londhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panapatte, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that the Applicant is pressing the relief as regards direction to the Respondent No.2 to decide his representation/application, claiming appointment on class-4 post as legal heir/nominee of retired government employee working on the post of Sweeper. He has submitted that with suitable directions to the Respondent No.2, the Original Application may be disposed of.

3. Learned P.O. for the Respondents has submitted that the Original Application may be disposed of with a direction to the Respondent No.2 to decide the representation/application of the Applicant within reasonable period.

4. On perusal of record it reveals that the representation/ application filed by the Applicant claiming appointed on class-4 post as legal heir/nominee of retired Sweeper is pending with the Respondent No.2. Therefore, it is just to dispose of the Original Application with a direction to the Respondent No.2 to decide the application/representation of the Applicant within stipulated time as per rules.

5. In view of the above, the Original Application is disposed of with a direction to the Respondent No.2 to take decision on the application/representation dated 16.01.2016 filed by the Applicant on merit as per the rules within three months from the date of this order and communicate the decision to the Applicant in writing. No order as to cost.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**M.A.NO.248/2019 IN M.A.ST.NO.1260/2019 IN O.A.NO.473/ 2018
(Vimal K. Suryawanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri Dhananjay Mane, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. The Applicant has moved the application for condonation of delay of 260 days caused for filing the restoration application for setting aside the order of dismissal passed in O.A.No.473/2018.

3. On perusal of record it reveals that the Applicant has filed O.A.No.473/2018 on 29.6.2018. It came to be dismissed in default on 23.07.2019 for non compliance of order dated 9.7.2018.

4. Provision of Rule 16(2) of Maharashtra Administrative Tribunal's Act, (Procedure) Rules, 1988 provides as follows:-

(2) Where an application has been dismissed for default and the applicant files an application within thirty days from the date of dismissal and satisfied the Tribunal that there was sufficient cause for his non-appearance when the application was called for hearing, the Tribunal shall make an order setting aside the order dismissing the application and restore the same:

Provided, however, where the case was disposed of on merits the decision shall not be reopened except by way of review.”

5. The Applicant has not filed the application within 30 days as per the Rules. The Rule does not provide to condone the delay caused for filing the restoration application.

6. In view of this, the present Misc. Application No.248/2019 for condonation of delay caused for filing the restoration application is not maintainable.

7. Hence, the Misc. Application No.248/2019 stands rejected. Consequently the M.A.St.No.1260/2019 and O.A.No.473/2018 are also stand rejected.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO.113 OF 2012
(Bhagwat T. Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri Kiran G. Salunke, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that the Applicant has filed this Original Application claiming monetary benefit of Assured Career Progression Scheme from the date of completion of his 12 years service i.e. from 21.08.2007.

3. Learned Advocate for the Applicant has submitted that the Respondent No.3 in his affidavit filed at page no.118 onwards has stated that the Respondent No.1 is going to place the proposal of granting of the benefit of Assured Career Progression Scheme to the Applicant before the Departmental Promotional Committee (DPC) and as per the recommendation of the committee, he will take the proper decision. He has submitted that since, the Respondent No.3 has admitted that the Respondent No.1 is going to place the matter before DPC, he prayed to dispose of the Original Application with a

direction to the Respondent No.1 to send the proposal regarding grant of benefit of ACPS within stipulated time and also with a direction to the DPC to take decision within stipulated time.

4. Learned P.O. for the Respondents has submitted that that three months time may be granted to the Respondent No1 to take appropriate decision and therefore, she prayed to dispose of the Original Application by giving reasonable time to the Respondent No.1.

5. On perusal of reply filed by the Respondent No.3, it reveals that the Respondent No.3 has made following statement in his affidavit in reply.-

“8. I say and submit that as per the Government Circular Law and Judiciary Department, dated 28.02.2017, the decision of Hon. Court if implemented in one case, then similarly placed employee/officer, should not be compelled to go in court, but instead the said decision is required to be implemented in the similarly situated case, by the concerned Administrative Department. Taking clue from the letter dated 12.10.2017, Government Resolution dated 23.05.2017 and instructions issued vide Government Circular dated 28.02.2017, the Department of Respondent No.1 is expected to place the proposal of granting the benefit of Assured Career Progression Scheme/Modified Assured Career Progression Scheme, to the Applicant Shri. Bhagwat Kadam, before the Departmental Promotion Committee(DPC). As per, whatever the recommendation of said committee, that come out based on merit, the Department of Respondent No.1, is supposed to take appropriate decision, accordingly in respect of the Applicant Shri. Bhagwat Kadam.”

6. The Respondent No.1 is going to place the proposal regarding grant of benefit of ACPS/ modified ACPS to the Applicant before the DPC in view of the circular dated 28.02.2017 and G.R. dated 23.05.2017. Upon recommendation of the committee, he is ready to release benefit to the Applicant.

7. In this background, it is just to dispose of the Original Application with a direction to the Respondent No.1 to place the proposal regarding the grant of benefit of ACPS to the Applicant within one month. On receiving the said proposal, the DPC has to take further decision within one month and on receiving the recommendation of the DPC, the Respondent No.1 has to take appropriate decision within one month.

8. In view of this, the Original Application is disposed of with a direction to the Respondent No.1 to place the proposal regarding grant of benefit of ACPS/modified ACPS to the Applicant before the DPC within one month from today. On receiving the proposal, the DPC has to take decision within one month and communicate the decision to the Respondent No.1. On receiving the recommendation of the DPC, the Respondent No.1 has to take appropriate decision within one month and inform the Applicant accordingly in writing. No order as to costs.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO.600 OF 2016
(Sadashiv J. Daware V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri Kiran M. Nagarkar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the Respondents, S.O. to 9.07.2019.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**ORIGINAL APPLICATION NO.939 OF 2016
(Rajendra B. Salvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Shri Jayant B. Choudhary, learned Advocate for the Applicant has filed leave note.

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

2. In view of the leave note of the Advocate for the Applicant, S.O. to 1.08.2019.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**ORIGINAL APPLICATION NO.277 OF 2017
(Shaikh Mehboob Abdul Kareem V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant seeks time to take instructions from the Applicant in view of the directions given by this Tribunal on 3.04.2019. Time granted.

3. S.O. to 5.08.2019.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

**ORIGINAL APPLICATION NO.152 OF 2018
(Sarjerao K. Sabhadinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the Respondents, S.O. to 9.08.2019.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 4.7.2019

ORAL ORDER :

Heard Shri V.M. Maney, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 9.08.2019.

VICE CHAIRMAN

SAS ORAL ORDER 4.7.2019 bpp