

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

**ORIGINAL APPLICATION NO.659/2018
(Sanjay Bhamre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 15-10-2018.

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

8. S.O.to 15-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.758/2017
(Dadarao Borade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri V.B.Wagh 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, S.O. to 05-10-2018.

YUK ORAL ORDER 05-09-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.555/2018
(Nirmala Bhandari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to submit delivery report and service affidavit. Time granted.

3. S.O. to 05-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.322/2018
(Anil Sonar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav learned Advocate for the applicant and Shri B.S.Deokar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 21-09-2018 for filing affidavit in rejoinder.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.678/2018
(Milind Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks leave of the Tribunal to withdraw the O.A. with liberty to approach the appropriate forum challenging order of respondent no.5.

3. In view of the submission of the learned Advocate for the applicant leave as prayed for is granted.

4. O.A. stands disposed of as withdrawn with liberty to the applicant to approach the appropriate forum. There shall be no order as to costs.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.680/2018
(Ram Dongre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri C.V.Dharurkar learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. The applicant has moved the application for issuing the directions to respondent no.1 and 2 to decide his request to grant permission to join grant permission to join MSc Nursing course and to grant study leave by filing the present O.A. Learned Advocate for the applicant has submitted that the applicant has moved an application in the month of May, 2018 seeking permission of the respondents to join MSc Nursing course and to grant study leave. He has submitted that respondent no.1 has not yet decided the proposal dated 26-07-2018 forwarded by the respondent no.2 but private College namely Vikhe Patil Foundation's Institute of Nursing, Ahmednagar has given him admission. He has prayed for interim relief as prayed for and direct the respondent no.1 and 2 to decide request/proposal pending with the respondents.

3. Learned P.O. submits that proposal of the applicant is already pending with the respondents and respondents will take decision in due course. She has submitted that in case interim relief is granted it will amount final decision in the O.A. itself.

4. Since the proposal of the applicant is pending with the respondent no.1 it is not desirable to issue directions as prayed for by way of interim relief. Therefore, prayer for interim relief is rejected.

5. Issue notice to the respondents, returnable on 15-10-2018.

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

7. 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.

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

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

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

11. S.O.to 15-10-2018.

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

MEMBER (J)

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

**T.A.No.04/2017 IN W.P.No.10375/2016
(Ramesh Sonawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Shri P.D.Bachate learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Applicant as well as his Advocate both are absent.

3. Hence, S.O. to 17-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.275/2017
(Md. Asfiouddin Md. Bashiruddin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

Shri S.E.Madne learned Advocate for respondent no.4 is **absent**.

2. Since pleadings are complete, case is admitted.

3. This case be placed for final hearing on 19-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.425/2017
(Prasad Pawar & Another V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Dr. Swapnil Tawshikar learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned P.O. seeks time to produce recruitment rules for the post of Craft Instructor (ICTSM). Time is granted.

3. S.O. to 10-10-2018.

4. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.657/2017
(Rajesh Mane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri B.N.Magar learned Advocate holding for Shri A.B.Gaikwad learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08-10-2018, as a last chance.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.906/2017
(Dr. Karuna Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Shri P.B.Patil learned Advocate for the applicant is **absent**. Smt. M.S.Patni learned Presenting Officer for respondents is present.

2. Learned Advocate for the applicant is absent.

3. Learned P.O. has produced copy of communication dated 31-08-2018 issued by the Medical Superintendent, Women's Hospital, Nanded to the applicant wherein it is mentioned that N.P.A. has been added while calculating the pension of the applicant and pension papers have been submitted to A.G. A.G. has sanctioned the revised pension accordingly. Arrears have also been paid to the applicant. Copy of the communication dated 31-08-2018 is taken on record and marked as document "X" for identification.

4. Perusal of the letter dated 31-08-2018 reveals that entire relief claimed by the applicant has been satisfied and nothing remains in the O.A. Therefore, as nothing remains in the O.A., same does not survive. O.A. stands disposed of accordingly with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.53/2018
(Sopan Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

2. Learned P.O. files affidavit in reply on behalf of the respondent nos.5 and 6. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 08-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.61/2018
(Bipin Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

2. Learned CPO submits that respondents will comply the orders passed by the Tribunal dated 07-08-2018 and 14-08-2018 and file affidavit of respondents within 2 days. He sought time till that time.

3. In view of the submission of the learned CPO, time is granted as a last chance to comply the orders and file affidavit of the concerned respondents, failing which heavy costs will be saddled on the concerned respondents.

4. S.O. to 07-09-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.103/2018
(Sk. Gaffar Sk. Rajjak V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri V.V.Tarde learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant has received revised wages as per G.R. dated 07-03-2018 which has been issued by the Home Department of Government of Maharashtra on the basis of notification dated 28-09-2010. Therefore, purpose of filing the O.A. is served. Learned Advocate for the applicant has prayed to dispose of the O.A. accordingly.

3. In view of the above, learned P.O. has also prayed to dispose of the O.A.

4. In view of the submissions of learned Advocate for the applicant as well as the learned P.O., O.A. stands disposed of as purpose of filing the O.A. is served. There shall be no order as to costs.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.431/2018
(Munjarao Magar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri B.N.Magar learned Advocate holding for Shri G.N.Patil learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the respondent no.3 has avoided to accept the notice sent to him by RPAD on his two different addresses. Notices returned unserved. Notice is also not served on respondent no.1.

3. He has submitted that the respondent no.3 is a practicing Advocate and he is avoiding service of notice. Therefore, he prayed to issue fresh notice to respondent no.1 by RPAD/Speed Post/Courier and also to respondent no.3 by publishing in local newspaper (Daily Sakal & Daily Punya Nagri).

4. Learned Advocate for the applicant is directed to take copy of notice by hand to be served on respondent no.3 and shall publish it in local newspaper for proper service on the respondent no.3.

5. Issue fresh notice to the respondent no.1 (RPAD/Speed Post/Courier) and respondent no.3 (newspaper publication), returnable on 08-10-2018.

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

7. 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.

8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the

questions such as limitation and alternate remedy are kept open.

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

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

11. S.O.to 08-10-2018.

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

MEMBER (J)

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

**ORIGINAL APPLICATION NO.355/2018
(Krushna Edke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri Swapnil A. Deshmukh learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

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

3. S.O. to 10-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**M.A.No.266/2017 IN O.A.St.No.517/2017
(Ratanrao Shejwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Shri S.K.Mathpati learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. None is present for the applicant.
3. Case be fixed for passing appropriate order on 09-10-2018.

MEMBER (J)

LATER ON

4. Shri S.K.Mathpati learned Advocate for the applicant appeared and prayed for time to argue the matter. Time is granted.

5. S.O. to 09-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**M.A.No.406/2017 IN O.A.St.No.861/2017
(A.H.Aagle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri N.B.Jadhav learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

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

3. S.O. to 28-09-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**M.A.No.489/2017 IN O.A.St.No.1715/2017
(Dr. Suresh Karamunge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that proposal forwarded by the respondent no.4 to respondent no.3 to extend benefit of second time bound promotion is pending with the respondent no.3 since 19-09-2014, and therefore, delay has occurred. He has submitted that the applicant was waiting for the decision of the respondent no.3 on the said proposal. Therefore, he could not able to file O.A. in time and prayed to condone the delay.

3. Learned P.O. has contended that the applicant is not entitled to get second benefit of time bound promotion as per G.R. dated 01-04-2010. He has fairly admitted the fact that proposal sent by respondent no.4 to the

respondent no.3 on 19-09-2014 is still pending.

4. In view of the reasons mentioned in the M.A. and the fact that proposal sent by respondent no.4 to respondent no.3 is still pending and the respondents have not taken any decision on the same. Therefore, applicant could not able to file O.A. in time and delay is caused. Reasons mentioned by the applicant are just and proper to condone the delay caused for filing the O.A.

5. In view of the above facts and circumstances of the case, M.A. is allowed. Delay caused for filing the O.A. is condoned.

6. O.A. be registered and numbered after removal of office objections, if any.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.684/2018
(Dr. Suresh Karamunge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the respondent no.4 forwarded proposal dated 19-09-2014 to the respondent no.3 to extend benefit of second time bound promotion to the applicant but the respondents have not decided the same. Therefore, he prayed to direct the respondentno.3 to take appropriate decision on the proposal dated 19-09-2014 forwarded by the respondent no.4 in stipulated time and O.A. may be disposed of with such directions.

3. Learned P.O. submits that the applicant is not entitled to get second benefit of time bound promotion in view of G.R. dated 01-04-2010. He has submitted that respondent no.3 will decide

the proposal forwarded by respondent no.4 on 19-09-2014 within reasonable time as per rules. Therefore, he has prayed to pass necessary order.

4. Proposal sent by respondent 4 to the respondent no.3 regarding extension of second benefit of time bound promotion is still pending with the respondent no.3 since the year 2014. In my opinion, it is just to direct the respondent no.3 to take decision as per G.R. dated 01-04-2010 and other G.Rs. on the proposal dated 19-09-2014 forwarded by the respondent no.4 to the respondent no.3 within 3 months from the date of this order and to communicate the same to the applicant in writing.

5. In view thereof O.A. stands disposed of with no order as to costs. Respondent no.3 is directed to take decision as per rules on the proposal dated 19-09-2018 forwarded by the respondent no.4 within 3 months from today and communicate the decision thereon in writing to the applicant.

MEMBER (J)

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

**M.A.No.110/2018 IN O.A.ST.No.410/2018
(Digambar Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Shri Ajay Deshpande learned Advocate for the applicant has filed **leave note** on record. Smt. Deepali Deshpande learned Presenting Officer for respondents is present.

2. Learned P.O. files affidavit in reply on behalf of the respondent nos.2 to 4. It is taken on record. She undertakes to serve copy of the reply on the other side.

3. Learned P.O. seeks time to file reply on behalf of the respondent no.1. Time is granted.

4. S.O. to 11-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**M.A.No.111/2018 IN O.A.ST.No.412/2018
(Abdul Rakhib V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Shri Ajay Deshpande learned Advocate for the applicant has filed **leave note** on record. Smt. M.S.Patni learned Presenting Officer for respondents is present.

2. Learned P.O. files affidavit in reply on behalf of the respondent nos.2 to 4. It is taken on record. She undertakes to serve copy of the reply on the other side.

3. Learned P.O. seeks time to file reply on behalf of the respondent no.1. Time is granted.

4. S.O. to 11-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**M.A.No.165/2018 IN O.A.St.No.606/2018
(Shital Banale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

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

2. Learned P.O. seeks time to file reply on behalf of respondent nos.1 and 2.

3. Learned Advocate for the applicant prayed for leave amend the O.A. so far as the address of respondent no.3 is concerned. Leave as prayed for is granted. Applicant shall carry out amendment forthwith.

4. After amendment is carried out, issue fresh notice to the respondent no.3, returnable on 12-10-2018.

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

6. 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.

7. 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.

8. 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.

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

10. S.O.to 12-10-2018.

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

MEMBER (J)

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

**M.A.No.203/2018 IN O.A.ST.NO.962/2018
(Naserkhan Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes
learned Advocate for the applicant and
Smt. Sanjivani Ghate learned Presenting Officer
for respondents.

2. M.A.No.203/2018 is filed for condonation of
delay caused for filing the O.A. For the reasons
mentioned in paragraph 4, M.A. is allowed.
Delay caused for filing the O.A. is condoned.

3. O.A. be registered and numbered after
removal of office objections, if any.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**ORIGINAL APPLICATION NO.685/2018
(Naserkhan Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 08-10-2018.

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

8. S.O.to 08-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**M.A.No.217/2018 IN O.A.No.338/2018
(Dr. Arun Harischandre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Shri C.K.Shinde learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for respondents is present.

2. Issue notice to the respondents in M.A., returnable on 17-10-2018.

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

8. S.O.to 17-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**M.A.No.324/2018 IN O.A.No.505/2018
(Suryakant Talode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri A.R.Barate learned Advocate holding for Shri S.A.Wakure learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. For the reasons stated in paragraph 6 of the M.A., it is allowed with no order as to costs. Order of dismissal passed in the O.A. is hereby recalled/set aside. O.A. is restored to its original stage.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**Original Application No.505/2018
(Suryakant Talode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri A.R.Barate learned Advocate holding for Shri S.A.Wakure learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 19-10-2018.

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

8. S.O.to 19-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**M.A.No.326/2018 IN O.A.No.479/2018
(Kiran Phad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri V.M.Maney learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. For the reasons stated in paragraph 3 of the M.A., it is allowed with no order as to costs. Order of dismissal dated 27-08-2018 passed in the O.A. is hereby recalled/set aside. O.A. is restored to its original stage.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**Original Application No.479/2018
(Kiran Phad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri V.M.Maney learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 19-10-2018.

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

8. S.O.to 19-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

**Original Application St.No.1299/2018
(Sk. Shafiqueedin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Heard Shri S.B.Solanke learned Advocate holding for Shri P.D.Jarare learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant does not want to proceed with the O.A. and he wants to withdraw the O.A. with liberty to file fresh O.A. as some facts remained to be pleaded.

3. Learned CPO states that appropriate order may be passed.

4. The applicant wants to withdraw the O.A. with liberty to file fresh O.A. as some facts remained to be pleaded. Hence, O.A. stands disposed of as withdrawn with liberty to file fresh O.A.

MEMBER (J)

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

**Original Application No.113/2012
(Anil Sonar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018

ORAL ORDER :

Shri K.G.Salunke learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Chief Presenting Officer for respondents is present.

2. Learned Advocate for the applicant is absent. Matter be fixed for passing appropriate order on the next dated.

3. S.O. to 12-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-09-2018 F

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

DATE : 5.9.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 10.10.2018.

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 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. Applicant is 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 10.10.2018.

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NO. 674/2018
(Emam N. Mirza 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 : 5.9.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 11.10.2018.

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 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. Applicant is 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 11.10.2018.

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NO. 676/2018
(Balaji S. Raner 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 : 5.9.2018

ORAL ORDER :

Heard Shri Smol Chalak (Patil), learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notice before admission to the respondents, returnable on 2.11.2018.

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 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. Applicant is 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 2.11.2018.
9. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**C.P. 57/2018 IN O.A. 210/2013
(Madhukar R. Mapari 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 : 5.9.2018

ORAL ORDER :

Heard Smt. Bharti Sathe - Sohoni, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that, service affidavit regarding service of notices upon the respondents is ready. She is directed to file the same in the office.

3. Learned P.O. submits that he will take instructions from the concerned respondents and file affidavit in reply in the present C.P. on the next date. At his request, S.O. to 10.10.2018 for taking instructions and filing affidavit in reply of the respondents.

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

MEMBER (A)

VICE CHAIRMAN

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

**C.P. ST. 973/2018 IN O.A. 740/2015
(Subhash M. Tandale 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 : 5.9.2018

ORAL ORDER :

Heard Shri S.S. Shinde, 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, issue fresh notices in the present Contempt Petition, returnable on 10.10.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**O.A. NOS. 268, 269, 270 AND 271/2017
(Vishal W. Machave & 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 : 5.9.2018

ORAL ORDER :

Heard Ms. Himani Chhabra, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in all these matters and Shri N.U. Yadav, learned Presenting Officer for the respondents in all these matters.

2. Ms. Chhabra, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants again seeks time to file rejoinder in all these matters. At her request, S.O. to 5.11.2018 for filing rejoinder of the applicants in all these matters.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NO. 105/2017
(Nagesh S. Mapari 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 : 5.9.2018

ORAL ORDER :

Heard Smt. Bharti Sathe - Sohoni, learned Advocate holding for Shri G.K. Kshirsagar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 to 3. None appears for other respondents.

2. Learned Advocate for the applicant submits that, during the course of the day rejoinder of the applicant would be filed with copy to other side. In the circumstances, S.O. to 9.10.2018 for admission hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NO. 689/2017
(Babasaheb N. Andhale 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 : 5.9.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 19.11.2018 for filing sur-rejoinder of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NO. 911/2017
(Dadabhau N. Salunke 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 : 5.9.2018

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned P.O. files on record affidavit in reply of res. no. 1. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. Admit. Learned P.O. waives service of notice of admission for the respondents.

4. The matter be placed for final hearing in due course of time.

MEMBER (A)

VICE CHAIRMAN

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

**REV. 01/2018 IN O.A. ST. 873/2018
(Santosh R. Jagdale 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 : 5.9.2018

ORAL ORDER :

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

2. Learned Advocate has filed additional affidavit regarding certain developments occurred after filing of the present O.A. It is taken on record and copy thereof has been served upon the learned C.P.O.

3. At the request of leaned C.P.O. S.O. to 5.10.2018 for filing reply to the O.A. and also to the additional affidavit filed by the applicant.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 12/2018
(Khandu T. Chavan 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 : 5.9.2018

ORAL ORDER :

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. Learned P.O. submits that he has received para-wise remarks from the concerned respondents and upon going through the same he will file affidavit in reply. At his request, S.O. to 10.10.2018 for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NOS. 821, 822, 929, 956 and 904/2017
(Sujata D. Budhawant & 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 : 5.9.2018

ORAL ORDER :

Heard S/shri Sandeep S. Munde & S.S. Jadhavar, learned Advocates for the applicants in all these matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these matters.

2. With the consent of both the sides, S.O. to 19.11.2018 for admission hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NO. 943/2017
(Amol J. Udawant 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 : 5.9.2018

ORAL ORDER :

Heard Shri S.J. Rahate, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 4 and Shri V.B. Wagh, learned Advocate for respondent nos. 5 to 9.

2. At the request of learned Advocate for the applicant, S.O. to 7.9.2018 for hearing on the line of order dtd. 3.9.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NO. 154/2018
(Priyanka P. Shinde 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 : 5.9.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent no. 1 and Shri M.B. Kolpe, learned Advocate for respondent no. 2.

2. With the consent of both the sides, S.O. to 19.11.2018 for admission hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 5-9-2018

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

**ORIGINAL APPLICATION NO. 185/2018
(Vasant S. Bagde 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 : 5.9.2018

ORAL ORDER :

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. Learned P.O. has filed affidavit in reply of res. nos. 1 to 3. It is taken on record. He undertakes to serve copy reply upon the learned Advocate for the applicant.

3. In the circumstances, S.O. to 4.10.2018 for admission hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 436/2018
(Santosh M. Mane 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 : 5.9.2018

ORAL ORDER :

Heard Shri S.K. Doke, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned P.O. files on record copy of communication dtd. 4.9.2018 received to him, which would show that that the respondent State is considering for filing of application for transfer of this matter from this Bench to principal seat at Mumbai.

3. It is to be noted that in the present O.A., while issuing notices to the respondents on 28.6.2018, this Tribunal has directed the concerned respondents to take a note of the fact that the present applicant has already passed Government Commercial Certificate Examination of Marathi typing and Marathi Shorthand before joining the services in the year 2009 and, therefore, the concerned respondents to take corrective steps regarding release of increment and file report regarding the same on the returnable date. It was further directed that in case the increment of the applicant cannot be released according to law or provisions, then the concerned respondents shall file short affidavit explaining the reasons therefor on the next date.

4. In the circumstances, without waiting for application from the respondents for transfer of present O.A. to principal seat at Mumbai, the respondents are directed to comply with the order of the Tribunal dtd. 28.6.2018 positively on or before the next date.

5. S.O. to 27.9.2018 for above compliance from the side of respondents.

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

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 519 & 534/2018
(Vishwanath U. Choudhary & 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 : 5.9.2018

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicants in both the matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in both the matters.

2. Learned P.O. submits that main examinations are scheduled on 8.9.2018. She further submits that as per the order of the Tribunal dtd. 19.7.2018 the res. no. 2 has already filed short affidavit in the present matter. However, some information asked by the Tribunal during the course of hearing is not available with her.

3. In the circumstances, the res. no. 2 is hereby directed either to send a responsible Officer on the next date for further hearing before the Tribunal or give full instructions to the learned P.O.

4. S.O. to 12.9.2018 for further hearing.

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

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 528 & 619/2018
(Jevan G. Shinde & 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 : 5.9.2018

ORAL ORDER :

Heard Shri Sanjay L. Bhapkar, learned Advocate for the applicants in both the matters and Shri S.K. Shirse, learned Presenting Officer for the respondents in both the matters.

2. Learned P.O. submits that issue involved in the present matters would be resolved within 2 weeks from today. In the circumstances, S.O. to 21.9.2018 for making statement by the learned P.O. on the above line.

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

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 918/2010
(Gayabai G. Pokale 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 : 5.9.2018

ORAL ORDER :

Heard Shri N.L. Jadhav, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3. None appears for respondent nos. 4, 5 & 6.

2. Learned Advocate for the applicant seeks time. He also undertook to inform about the next date to the learned Advocate for res. nos. 4, 5 & 6.

3. At the request of learned Advocate for the applicant, S.O. to 27.9.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 227, 246, 372 & 571/2018
(Charushila T. Chaudhari & 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 : 5.9.2018

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the applicants in all these matters and Smt. Priya R. Bharaswadkar & Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents in respective matters.

2. With the consent of both the sides, S.O. to 19.11.2018. It is also made clear that on the next date the issue regarding modification of interim relief granted by the Tribunal earlier in O.A. nos. 227, 246, & 372/2018 would be considered.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 301 & 430/2018
(Shubhangi V. Khedkar & 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 : 5.9.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in both the matters, Shri M.P. Gude & Smt. Priya R. Bharaswadkar, learned Presenting Officers for the respondent authorities in respective matters and Shri G.V. Mohekar, learned Advocate for respondent nos. 3 to 5 in O.A. no. 430/2018.

2. Shri Mohekar, learned Advocate has filed affidavit in reply of res. nos. 3 to 5 in O.A. no. 430/2018. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. Learned P.Os. seek time to file affidavit in replies of res. authorities in both the matters. At their request, S.O. to 19.11.2018.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 614 OF 2017

[Shri Jeevan N. Wader Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Heard Shri H.V. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. Learned Advocate for the applicant seeks time to file affidavit in rejoinder. Time granted.
4. S.O. to 25th September, 2018 for filing affidavit in rejoinder.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

ORIGINAL APPLICATION NO. 852 OF 2016

[Shri Ankush K. Tekale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Read order dated 16.7.2018 passed by this Tribunal.
3. Learned Presenting Officer submits that he has no concrete instructions from the concerned respondents as directed by this Tribunal on the last date.
4. Learned Advocate for the applicant submits that he would secure the seniority list of the post of Police Shipai and Police Naik to find out as to whether from the batch of 1994 or earlier of Police Shipai, any employee from Open Category is promoted on the post of Police Naik and as to whether his promotion of at least to the post of Police Naik can now be protected ?.
5. Learned Presenting Officer is also directed to secure presence of any responsible officer with the record of seniority list since respondent No. 2 is from Aurangabad.

O.A. NO. 852 OF 2016

6. At the request of both the sides, S.O. to 27th September, 2018 for final hearing with the above directions.

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

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 560 OF 2016

[Shri Ashok B. Kamble Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Heard Shri H.V. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 4 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. The present Original Application would show that the applicant has challenged the very initiation of the departmental enquiry. In view of non-grant of any interim relief the enquiry is now concluded and affidavit in reply would show that even action on the enquiry report is taken.
4. In that view of the matter, the present Original Application is disposed of without any order as to costs. The applicant is at liberty to avail such remedy as may be available in law keeping all points open.

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

ORIGINAL APPLICATION NO. 139 OF 2015

[Shri Ramkrishna G. Patil & 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 : 05.09.2018.

ORAL ORDER :

1. Heard Shri H.V. Patil, learned Advocate holding for Shri Amol S. Sawant, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Advocate Shri H.V. Patil holding for learned Advocate Shri Amol S. Sawant for the applicants seeks time. It is to be noted that on last 5 occasions nobody appeared for the applicants. However, at the request of learned Advocate for the applicants, S.O. to 11th September, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

ORIGINAL APPLICATION NO. 755 OF 2013

[Sanjeevani Z. Dhindale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Shri Anilkumar B. Dhongade, learned Advocate for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, present.

2. The record would show that on many occasions nobody appeared for the applicant. On the last date also nobody appeared for the applicant.

3. In view of the above, it appears that the applicant and his learned Advocate are not interested in prosecuting the present Original Application. Hence, the same is dismissed in default without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

ORIGINAL APPLICATION NO. 765 OF 2013

[Smt. Mangal L. Thokal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Shri Anilkumar B. Dhongade, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri K.B. Jadhav, learned Advocate for respondent Nos. 5 & 6, were present.

2. The record would show that on many occasions nobody appeared for the applicant. On the last date also nobody appeared for the applicant.

3. In view of the above, it appears that the applicant and his learned Advocate are not interested in prosecuting the present Original Application. Hence, the same is dismissed in default without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

ORIGINAL APPLICATION NO. 297 OF 2018

[Shri Ajay R. Umale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during the course of the day he will file affidavit in rejoinder. He shall serve the copy of the same on the learned Presenting Officer.

3. In the circumstances, S.O. to 25th September, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

ORIGINAL APPLICATION NO. 487 OF 2017

[Shri Bhagwanrao J. Nagargoje Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Heard Shri H.V. Patil, learned Advocate holding for Shri A.N. Patale, 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 4th October, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

C.P.NO. 3/2017 IN O.A.NO. 830/2015

[Dr. Balaji G. Manoorkar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed a copy of communication dated 5th September, 2018 received to him from Desk Officer, State Government of Maharashtra and the same is taken on record and marked as document 'X' for the purpose of identification.
3. Perusal of aforesaid communication would show that the respondents are contemplating to file Special Leave Petition before the Hon'ble Supreme Court. It is to be noted that on 2nd July, 2018 also the respondents have made similar statement, still despite passing 8 weeks' time, the process is still continuing.
4. In the circumstances, as a last chance to comply with the order in question passing by this Tribunal in O.A. No. 830/2015, S.O. to 15th October, 2018 with a forewarning that in case the order in question is not complied or any order is

not secured from the Hon'ble Supreme Court in any SLP, the heavy cost like 25,000/- would be imposed on the concerned respondents.

5. Learned Presenting Officer shall act on steno copy.

MEMBER (A)

VICE CHAIRMAN

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

M.A.NO. 323/2018 IN O.A.NO. 638/2018

[Shri Rajkumar D. Barwal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Heard Shri B.V. Thombre, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. This is an application filed by the applicant for restoration of O.A. No. 638/2018 to its original file.
3. For the reasons stated in the present Miscellaneous Application, the same is allowed and the O.A. No. 638/2018 is restored to its original file.
4. Accordingly, the present Miscellaneous Application stands disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

ORIGINAL APPLICATION NO. 638 OF 2018

[Shri Rajkumar D. Barwal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Heard Shri B.V. Thombre, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. By passing order in M.A. No. 323/2018 the present Original Application is restored to its original file. Hence, issue notices to the respondents, returnable on 22nd October, 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 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

O.A. NO. 638 OF 2018

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 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 the record.

8. S.O. to 22nd October, 2018.

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

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 594 OF 2018

[Dr. Kavita K. Shende & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.09.2018.

ORAL ORDER :

1. Heard Shri G.V. Mohekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. The present case is not on today's board. Production is allowed.
3. Learned Advocate for the applicant submits that on the last date i.e. 3.9.2018 due to unavoidable personal work he could not attend the Tribunal and on his behalf learned Advocate Shri H.P. Jadhav appeared. Inadvertently learned Advocate Shri H.P. Jadhav not prayed for continuation of interim relief granted earlier by this Tribunal.
4. Today, the learned Advocate Shri G.V. Mohekar for the applicant prays that the interim relief granted earlier by this Tribunal may be continued. Request allowed.
5. Accordingly, S.O. to 25th September, 2018. Interim relief granted earlier to continue till then.

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

**M.A.NO. 305/2018 IN O.A.ST. 1063/2018
(Shri Kantilal Babulal Pawar Vs. The State of Maha. and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI JUSTICE M.T. JOSHI, V.C.

DATE : 05.09.2018.

ORAL ORDER:

Heard Shri Vivek M. Lomte, learned Advocate for the applicant.

2. This is an application filed by the applicant for condonation of delay of about 725 days caused in filing accompanying Chamber Appeal.

3. For the reasons stated in the present Miscellaneous Application, the same is allowed and the delay of about 725 days caused in filing accompanying Chamber Appeal is hereby condoned.

4. Accordingly, the present Miscellaneous Application is disposed of without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

CHAMBER APPEAL NO. 5 OF 2018

IN

M.A. ST. 1062/2016 WITH O.A.ST. 1063/2016

(Shri Kantilal Babulal Pawar Vs. The State of Maha. and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI JUSTICE M.T. JOSHI, V.C.

DATE : 05.09.2018.

ORAL ORDER:

Heard Shri Vivek M. Lomte, learned Advocate for the applicant.

2. Vide order dated 18.07.2016 the Registrar of this Tribunal Bench at Aurangabad was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 10.06.2016 the office has raised the following office objections : -

In O.A. St. No. 1063/2016

- 1) Annexures are not attested.
- 2) Page Nos. 19 to 22 are not legible; and

In M.A.ST.1062/2016 for condonation of delay the following objection was raised: -

- 1) Number of days not mentioned in delay application.

3. The learned Advocate for the applicant appeared on 04.09.2018 and has removed the office objections raised in O.A., as well as, in M.A.

CHAMBER APPEAL NO. 5 OF 2018

4. Technically the Registrar was right in refusing the registration of M.A.NO. 305/2018 and O.A.ST. 1063/2018 since nobody appeared for the applicant in view of the objection in spite of repeated chances. The learned Advocate for the applicant submits that he could not attend the Tribunal due to his personal difficulty and, therefore, the registration of M.A.NO. 305/2018 and O.A.ST. 1063/2018 was refused.

5. The fact that the O.A. is filed by the applicant seeking direction to the respondents to quash and set aside the order passed by the respondent No. 2 dated 11.01.2013 and the order passed by respondent No. 3 dated 06.03.2012 thereby stopping of one year increment of future pay of applicant 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 Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate.

6. In view of the above, I pass the following order:

ORDER

(i) Chamber Appeal No. 5/2018 is allowed as the learned Advocate for the applicant has already removed the office objections on 4.9.2018 raised in M.A., as well as, in O.A.

CHAMBER APPEAL NO. 5 OF 2018

(ii) The Registrar of this Tribunal Bench at Aurangabad is directed to place both the M.A. & O.A. before the appropriate Bench for hearing.

VICE CHAIRMAN

ORAL ORDERS 05.09.2018-HDD

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

CHAMBER APPEAL NO. 4 OF 2018

IN

ORIGINAL APPLICATION ST. NO. 1178/2018

(Shri Pradeep P. Jadhav Vs. The State of Maha. and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI JUSTICE M.T. JOSHI, V.C.

DATE : 05.09.2018.

ORAL ORDER:

Heard Shri Annasaheb S. Kadam, learned Advocate for the applicant.

2. Vide order dated 24.08.2018 the Registrar of this Tribunal Bench at Aurangabad was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 16.07.2018 the office has raised the following office objections : -

- 1) Page No. 16 is not legible; and
- 2) O.A. appears to be barred by limitation.

3. The learned Advocate for the applicant appeared today i.e. on 05.09.2018 and has undertaken to remove the office objections forthwith.

4. Technically the Registrar was right in refusing the registration of O.A. St. No. 1178/2018 since nobody appeared for the applicant in view of the objection in spite of repeated chances. The learned Advocate for the applicant submits that

he could not attend the Tribunal due to his personal difficulty and, therefore, the registration of O.A. St. 1178/2018 was refused.

5. The fact that the O.A. is filed by the applicant seeking compassionate appointment 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 Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate.

6. In view of the above, I pass the following order:

ORDER

(i) Chamber Appeal No. 4/2018 is allowed as the learned Advocate for the applicant has undertaken to remove the office objections forthwith.

(ii) The Registrar of this Tribunal Bench at Aurangabad is directed to place O.A. St. before the appropriate Bench for hearing.

VICE CHAIRMAN

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

CHAMBER APPEAL NO. 3 OF 2018

IN

ORIGINAL APPLICATION ST. NO. 937/2018

(Shri Prashant R. Jogdand Vs. The State of Maha. and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI JUSTICE M.T. JOSHI, V.C.

DATE : 05.09.2018.

ORAL ORDER:

Heard Shri Sanjaykumar Chavan, learned Advocate for the applicant.

2. Vide order dated 26.07.2018 the Registrar of this Tribunal Bench at Aurangabad was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 18.06.2018 the office has raised the following office objection : -

1) I.P.O. of Rs. 50/- deficit.

3. The learned Advocate for the applicant appeared today and submitted that he has already removed the office objection raised by the office of this Tribunal on 03.09.2018.

4. Technically the Registrar was right in refusing the registration of O.A. St. No. 937/2018 since nobody appeared for the applicant in view of the objection in spite of repeated chances. The learned Advocate for the applicant submits that he could not attend the Tribunal due to his

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personal difficulty and, therefore, the registration of O.A. St. 937/2018 was refused.

5. The fact that the O.A. is filed by the applicant seeking direction of this Tribunal to consider his application to appoint him as Police Patil as an legal heirs of Ex-Police Patil 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 Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate.

6. The applicant also prays to condone the delay of about 26 days caused in filing this Chamber Appeal.

7. Considering the reasons mentioned in the Chamber Appeal regarding delay, the delay caused in filing this Chamber Appeal is hereby condoned.

8. In view of the above, I pass the following order:

ORDER

(i) The delay of about 26 days caused in filing this Chamber Appeal is hereby condoned.

(ii) Chamber Appeal No. 3/2018 is allowed as the learned Advocate for the applicant has already removed the office objection on 3.9.2018.

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(ii) The Registrar of this Tribunal Bench at Aurangabad is directed to place both M.A. St. 937/2018 and O.A. before the appropriate Bench for hearing.

VICE CHAIRMAN

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