

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

**ORIGINAL APPLICATION NO. 832 OF 2017
(Shri Ramkrishna K. Mhaske & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 403 OF 2018
(Shri Ravi S. Shirame V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, issue fresh notice to the respondent No. 5, returnable on 04.04.2019.

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

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 04.04.2019.

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

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 505 OF 2018
(Shri Suryakant V. Tatode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 11.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 711 OF 2018
(Shri Sanjay N. Nade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. M.S. Patni, 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 15.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 853 OF 2018
(Shri Pramod C. Bute V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, 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 11.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 857 OF 2018
(Shri Shashishekhar L. Shelgaonkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 25.03.2019 for filing rejoinder affidavit. Interim relief granted earlier to continue till then.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 862 OF 2018
(Shri Kiran S. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri M.P. Gude, 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 11.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 38 OF 2019
(Shri Anand G. Munde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri Ashish B. Rajkar, learned Advocate for the applicant and Shri V.R. Bhumkar, 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 18.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**M.A. No. 349/2017 in O.A. St. NO. 1166/2017
(Shri Udalsingh A. Bohara V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri S.P. Sonwane, learned Advocate holding for Shri A.L. Kanade, 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, as a last chance, S.O. to 16.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**M.A. No. 350/2017 in O.A. St. NO. 1168/2017
(Shri Janardan P. Muley V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri S.P. Sonwane, learned Advocate holding for Shri A.L. Kanade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, as a last chance, S.O. to 16.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**M.A. No. 469/2018 in O.A. St. NO. 1972/2018
(Shri Ramesh P. Barhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for respondent Nos. 1 and 2 and Shri S.S. Chillarge, learned Advocate for respondent No. 3.

2. Learned Advocate for respondent No. 3 has filed affidavit in reply in M.A. Same is taken on record and copy thereof has been served on the other side.

3 At the request of learned Presenting Officer, S.O. to 11.04.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**M.A. No. 15/2019 in O.A. NO. 973/2018
(Shri Rajaram Z. Mohite V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 & 2. Smt. Suvarna Zaware, learned Advocate for respondent No. 3, absent.

2. At the request of learned Presenting Officer, S.O. to 12.04.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 558 OF 2018
(Shri Ganesh D. Deshopande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 18.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 83 OF 2019
(Dr. Baburao S. Kadole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 23.04.2019.

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

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. Considering the material on record, interim relief in terms of prayer clause-(d) is hereby granted till filing of the affidavit in reply by the respondents, which runs as under:-

“d) Respondents may be restrained from recovering Rs. 9,70,661/- (Rupees Nine Lac Seventy thousand six hundred sixty one) towards alleged excess payment from applicant.”

9. Learned Advocate for the applicant has pointed out the earlier decision rendered by this Tribunal in O.A. No. 633/2014 (Annexure A-10, page No. 74). He has submitted that the issue of fixation of pay and recovery of excess payment has already been decided by this Tribunal in the said decision. He further submitted that still the concerned respondent has issued the impugned order of recovery.

10. The concerned respondent, is therefore, directed to consider the earlier decision rendered by this Tribunal. Upon considering the same, if the

concerned respondent comes to the conclusion that its action of directing recovery is wrong, then the corrective steps shall be taken. The report of taking of such steps shall be filed in this Tribunal on the next date.

11. In case, upon taking conscious decision, the respondents come to the conclusion that the decision of this Tribunal is irrelevant to the present impugned order, then only the regular affidavit shall be filed on the next date.

12. S.O.to 23-04-2019 for filing report etc.

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

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 195 OF 2018
(Shri Prakash M. Dehsmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 22.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 340 OF 2018
(Dr. Satishkumar A. Bodade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 & 5 and Smt. Vaishali S. Shinde, learned Advocate for respondent Nos. 2 and 3. None present for respondent No. 4.

2. Learned Advocate for the applicant seeks time to argue the matter on the point of maintainability of the present O.A. Time granted.

3. S.O. to 01.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 747 OF 2018
(Shri Ramakant H. Nagargoje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri G.J. Pahilwan, 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 08.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 945 OF 2018
(Shri Shaikh Quddus Shaikh Lal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri S.D. Joshi, 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 03.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 73 OF 2019
(Shri Prasad S. Bhise V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Smt. Supriya Bhilegaonkar, learned Advocate holding for Shri M.B. Bharaswadkar, learned Advocate for the applicant and Smt. M.S. Patni, 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 12.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 150 OF 2019
(Shri Shaikh Nazeer Abdul Rehman V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 18.04.2019. Interim relief granted earlier to continue till then.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 199 OF 2018
(Shri Pradeep W. Tribhuwan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has placed on record a copy of communication dated 11.03.2019 received to his office from S.P. Jalna. Same is taken on record. He seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 09.04.2019. Interim relief granted earlier to continue till then.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**M.A. No. 42/2019 in O.A. St. No. 172/2019
(Shri Sukhdev G. Nagre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 in M.A. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant has submitted that during the course of the day he will comply with the order 21.02.2019.

4. S.O. to 08.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**M.A. No. 71/2019 in O.A. No. 916/2016
(State of Maharashtra Vs. Sattar Khan Jamal Khan)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri M.P. Gude, learned Presenting Officer for the applicant (Original Respondent) and Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for respondent (original applicant).

2. At the request of learned Presenting Officer, S.O. to 01.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**M.A. No. 80/2019 in O.A. No. 63/2015
(The Superintending Engineer Administrator CADA, Aurangabad V/s. Saylu P.
Nawod & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Shri S.B. Mene, learned Advocate for the applicant in M.A. (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 2 to 5 and Shri S.D. Joshi, learned Advocate for respondent No. 1 (applicant in O.A. No. 63/2015).

2. As none present for the applicant, S.O. to 12.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 479 OF 2018
(Shri Kiran Kantarao Phad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Presenting Officer on instructions from Shri Sanjay Sopan Wavhal, Head Clerk, S.P. Office, Parbhani, states that the respondent No. 3 has offered employment to the applicant's mother on the post of Clerk subject to production of character certificate and medical fitness certificate.

3. Learned Advocate for the applicant has submitted that since the respondent No. 3 is going to offer the appointment to the applicant's mother on the post of Clerk, the applicant does not want to proceed with the present O.A. and therefore, he prayed to dispose of the same.

4. Since, the applicant does not want to proceed with the O.A., the same is disposed of with no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 41 OF 2017
(Shri Baburao N. Ardad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has produced a copy of the order dated 25.02.2019 issued by the respondent. Same is taken on record and marked as document-'X' for the purposes of identification.

3. Learned Advocate for the applicant submits that in view of the order dated 25.02.2019, the applicant wants to amend the O.A and to challenge the said order. Therefore, he seeks leave of this Tribunal to amend the O.A.

4. Learned Presenting Officer has submitted that the applicant has to file separate M.A. for amendment so that the respondents will give detailed reply.

5. Since the impugned order dated 25.02.2019 is passed by the respondents during the pendency of the present O.A. and the applicant wants to challenge the said order on the basis of subsequent event occurred after filing of the present O.A. by amending the O.A.,

//2//

O.A. No. 41/2017

the leave as prayed for by the applicant is granted. The applicant shall amend the O.A. on or before the next date. Amended copy be supplied to the learned P.O.

7. S.O. to 03.04.2019.

MEMBER (J)

kpb ORAL ORDER 11.03.2019.

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

**ORIGINAL APPLICATION NO. 836 OF 2018
(Shri Nilesh Arun Bhadane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri V.B. Wagh, 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 during pendency of the present O.A., the applicant has filed representation dated 19.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned C.P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned C.P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 19.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 837 OF 2018
(Shri Jitendra Somnath Desale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that during pendency of the present O.A., the applicant has filed representation dated 19.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 19.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 838 OF 2018
(Shri Mahendra Dattu Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that during pendency of the present O.A., the applicant has filed representation dated 19.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 19.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 839 OF 2018
(Shri Amol Suresh Borse V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that during pendency of the present O.A., the applicant has filed representation dated 19.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 19.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 840 OF 2018
(Shri Vivek Aananda Suryawanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that during pendency of the present O.A., the applicant has filed representation dated 19.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 19.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 841 OF 2018
(Shri Prabhakar Tulshiram Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that during pendency of the present O.A., the applicant has filed representation dated 19.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 19.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 842 OF 2018
(Shri Kailas Ramdas Tele V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that during pendency of the present O.A., the applicant has filed representation dated 19.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 19.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 882 OF 2018
(Shri Kundlik Namdeo Dhage V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri V.B. Wagh, 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 during pendency of the present O.A., the applicant has filed representation dated 06.08.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned C.P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned C.P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 06.08.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 888 OF 2018
(Shri Hemantkumar Sahebrao Lad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

Heard Shri V.B. Wagh, 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 during pendency of the present O.A., the applicant has filed representation dated 31.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned C.P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned C.P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 31.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 902 OF 2018
(Shri Dilwarsing Bhagwarsing Girase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that during pendency of the present O.A., the applicant has filed representation dated 19.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 19.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 908 OF 2018
(Shri Tushar Shivajirao Marathe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that during pendency of the present O.A., the applicant has filed representation dated 30.10.2018 and requested to consider his case for transfer on the vacant post. He has submitted that the respondents may be directed to take appropriate decision on merit on the representation within a stipulated time and with that direction the present O.A. may be disposed of.

3. Learned P.O. has submitted that three months' time may be given to the respondents to take decision on the representation filed by the applicant and with that direction, the O.A. may be disposed of.

4. In view of the submissions advanced by the learned Advocate for the applicant and learned P.O., the O.A. is disposed of with a direction to the respondents to take appropriate decision on the representation of the applicant dated 30.10.2018 on merit on or before 30.06.2019. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.639/2018
(Shri Maroti J. Sonkamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the Applicant, Shri M.S. Mahajan, learned C.P.O. for the Respondent Nos.1 to 3 and Shri G.S. Shembole, learned Advocate for the Respondent No.4.

2. At the request of the learned C.P.O. for the Respondents, S.O. to 15.03.2019.

MEMBER (J)

SAS ORAL ORDER 11-03-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.748/2017
(Shri Parasram Sonawane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Ku. Rebekah Daniel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondent Nos.1,2 & 4 to 6 and Smt. S.S. Bhuse, learned Advocate for the Respondent No.3.

2. Learned Advocate for the Respondent No.3 has submitted that the amount of costs has been deposited in the registry of this Tribunal.

3. Learned Advocate for respondent No. 3 has filed affidavit-in-reply. The same is taken on record and copy thereof has been served on the other side.

4. Learned Advocate for the Applicant seeks time to argue the matter after going through the reply of the Respondent No.3.

5. Time as prayed for is granted.

6. S.O. to 08.04.2019.

MEMBER (J)

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

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

2. Learned P.O. for the Respondents has produced a copy of communication dated 06.03.2019. The same is taken on record and marked as document-'X' for the purposes of identification and copy thereof has been served on the Applicant.

3. Learned Advocate for the Applicant seeks time to make submission regarding communication produced by the Respondents after taking instructions from the Applicant.

4. Time as prayed for is granted.

5. S.O. to 02.05.2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 848/2017
(Smt. Ranipanchsheela S. Bansode V/s. State of Maharashtra &
Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 4. None appears for respondent no. 5, though duly served.

2. Admitted facts of the present case would show that the res. no. 5 – Shri Mandar Uttam Sonawane – is appointed by the concerned respondent on the post of Lecturer in Hotel Management & Catering Technology at Government Polytechnic, Thane. According to applicant, though there is no post of Lecturer in Hotel Management & Catering Technology, still the res. no. 5 is appointed on the said post and on the other hand the present applicant could have been considered for appointment in the post of Lecturer in Travelling & Tourism at Government Polytechnic, Thane.

3. From above submissions of the learned Advocate for the applicant, it is clear that even if appointment of res. no. 5 is cancelled, the applicant would not get the said post of Lecturer in Hotel Management & Catering.

Thus, the present Original Application appears to be in the nature of Public Interest Litigation.

4. In the circumstances, the present Original Application is dismissed without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. NOS. 154/2017 AND 259/2018
(Naseem Banu Nazir Patel & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

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

2. With the consent of both the sides, both the cases be fixed for final hearing on 28.3.2019.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 11-3-2019

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

**ORIGINAL APPLICATION NO. 461/2018
(Pravin M. Honule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

Heard Shri S.D. Joshi, 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 13.3.2019.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 11-3-2019

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

**M.A. 477/2018 IN O.A. ST. 2023/2018
(Dr. Ravi R. Kulkarni & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

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

2. Learned P.O. seeks time for filing affidavit in reply in the present misc. application. After issuance of notices to the respondents, on two occasions time was granted for filing affidavit in reply, still the same is not filed till today.

3. In the circumstances, as a last chance, S.O. to 20.3.2019 for filing affidavit in reply of the respondents to the present misc. application, with a forewarning that in case the affidavit in reply is not filed on the next date, the present misc. application would be heard on its own merit without reply.

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**

**M.A. 57/2019 IN O.A. 667/2018
(Sanchit S. Deshpande & Ors. V/s. Gajanan P. Khot & Ors. and
State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the applicants in the present misc. application, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 15 & 16 in the present misc. application / respondent nos. 1 & 2 in O.A. and Shri S.D. Joshi, learned Advocate for respondent nos. 1 to 14 in the present misc. application / applicants in O.A.

2. At the request of Shri S.D. Joshi, learned Advocate S.O. to 3.4.2019 for filing affidavit in reply of the respondents in the present misc. application.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 642/2018
(Dr. Pankaj R. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents is present.

2. In view of absence of applicant & his learned Advocate, the present matter is removed from board.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 44/2013
(Dr. Rashmi P. Dhale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 26.3.2019 for final hearing with liberty to both the sides to file additional affidavit.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 11-3-2019

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

**ORIGINAL APPLICATION NO. 304/2014
(Popat K. Bachkar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

None appears for the applicants. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant & his learned Advocate, S.O. to 8.4.2019 for final hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 574 AND 575 BOTH OF 2015
(Ajay V. Kolhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.3.2019

ORAL ORDER :

Shri H.A. Joshi, learned Advocate for the applicant in both the cases (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents is present in both the cases.

2. Record would show that none is appearing for the applicant since long. It appears from the order dtd. 31.8.2018 that the respondents have already filed on record a true copy of judgment rendered by Hon'ble High Court in W.P. no. 4893/2015, which would show that the Hon'ble High Court declined to grant the relief as claimed by the applicant in the present O.A.

3. However, without making any comment on merit, in view of absence of applicant and his learned Advocate, the present original applications are dismissed in default without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 805 OF 2017
(Dr. Vanita N. Puri Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Shri Vishnu Dhoble, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri Avinash S. Deshmukh, learned Advocate for respondent No. 4.

2. No amendment is carried out by the applicant pursuant to the order dated 08.02.2019. None appears for the applicant. On the last date also none appeared for the applicant.

3. Considering the history of the case as is found from the earlier order, S.O. to 19.3.2019 either for hearing or for passing necessary orders in default.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**ORIGINAL APPLICATION NO. 872 OF 2018
(Shri Arun M. Gir Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Shri Ketan D. Pote, learned Advocate holding for Shri Arvind G. Ambetkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer submits that during the course of the day he will file written notes of arguments / synopsis. He undertook to serve the copy of the same on the other side.

3. Upon filing written notes of arguments / synopsis, reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**ORIGINAL APPLICATION NO. 939 OF 2017
(Shri Dattatraya S. Bargaje Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that rejoinder affidavit is not necessary. In the circumstances, S.O. to 25.03.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**M.A.NO. 97/2019 IN O.A.ST.NO. 447/2019
(Shri Shriniwas S. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

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

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

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

4. 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.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**ORIGINAL APPLICATION ST.NO. 447 OF 2019
(Shri Shriniwas S. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 25.03.2019.

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

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

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

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

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

8. Learned Advocate for the applicant has placed reliance on the ratio laid down by the Hon'ble Bombay High Court in the case of RAJENDRA VITHALRAO KAMBLE & OTHERS VS. GOVERNMENT OF MAHARASHTRA AND OTHERS reported in 2013 (3) BOM.C.R. 776. However, without going into the merits of the case, interim relief in terms of prayer clause 'C', which runs as under, is hereby granted until further orders.

"C. Pending the hearing and final disposal of this Original Application, the respondent no. 2 may kindly be directed to issue an orders in favour of the applicants thereby appointing them as Law Instructors with the Police Training Centre, Babhalgaon, Tal. & District Latur forthwith."

9. S.O. to 25.03.2019.

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

MEMBER (A)

ORAL ORDERS 11.03.2019-HDD

VICE CHAIRMAN

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

**O.A.NOS. 222 & 223 BOTH OF 2019
(Shri Balasaheb K. Jadhav & Anr. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Shri P.A. Kulkarni, learned Advocate for the applicants in both these cases and Shri M.S. Mahajan & Mrs. Deepali S. Deshpande, learned Chief Presenting Officer & learned Presenting Officer for the respective respondents in respective cases.

2. Substitution is permitted by making necessary amendment regarding deemed date of promotion etc. Thereafter, the present OAs may be circulated. Liberty is granted to both the parties to file additional documents on record.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**ORIGINAL APPLICATION NO. 79 OF 2017
(Shri Md. Kamran Md. Abrar Shaikh Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Shri S.D. Dhongde, 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 27.03.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**M.A.NO. 455/2018 IN O.A.ST.NO. 1809/2018
(Shri Krishna B. Joshi Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 02.04.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**ORIGINAL APPLICATION NO. 67 OF 2018
(Dr. Mohd. Feroz Iqbal Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18.03.2019 for filing rejoinder. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**O.A.NO. 800/2018 WITH O.A.NO. 903/2018
(Dr. Kirankumar L. Bondar & Anr. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Shri V.M. Chate, learned Advocate for the applicant in O.A. No. 800/2018, Shri A.C. Deshpande, learned Advocate for the applicant in O.A. No. 903/2018 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both these cases.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 in O.A. No. 800/2018 and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Advocate for the applicant submits that rejoinder affidavit is not necessary in O.A. No. 800/2018.

4. At the request of learned Chief Presenting Officer, S.O. to 09.04.2019, as a last chance, for filing affidavit in reply in O.A. No. 903/2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**M.A.NO. 37/2019 IN O.A.ST.NO. 155/2019
(Dr. Jaya P. Dighe Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Ms. Rebekah Dainel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 10.04.2019 for filing affidavit in reply, as a last chance.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**ORIGINAL APPLICATION NO. 575 OF 2014
(Shri Deepak B. Patil Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 26.03.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**ORIGINAL APPLICATION NO. 218 OF 2019
(Shri Sharnappa V. Mannylikar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 23.04.2019.

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.

O.A.NO. 218 OF 2019

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 23.04.2019.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**ORIGINAL APPLICATION NO. 212 OF 2019
(Shri Sundar S. Waghmare Vs. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO. 213 OF 2019
(Shri Rajendra K. Dandge Vs. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO. 214 OF 2019
(Shri Sarjerao N. Wagh Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Heard Shri D.R. Irale Patil, learned Advocate for the applicants in all these cases and S/Shri V.R. Bhumkar, S.K. Shrise & Mrs. Deepali S. Deshpande, learned Presenting Officers for the respective respondents in respective cases.

2. Issue notice to respondents in all these cases, returnable on 24.04.2019.

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.

O.A.NOS. 212 TO 214 ALL OF 2019

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

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

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

8. Without filing any detailed affidavit in reply, in the meantime, the respondents are directed to decide the representation of the applicants in each of the cases, copies of which are placed on record in each of the cases, and shall file the report regarding taking decision on the next date.

9. S.O. to 24.04.2019.

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

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 111 OF 2019
(Shri Ramesh R. Rathod Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Shri S.S. Ware, learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, present.

2. S.O. to 25.03.2019 for making submissions on the line of the order dated 12.02.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-HDD

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

**C.P.NO. 6/2019 IN O.A.NO. 19/2013
(Shivanna N. Ghante & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.03.2019

ORAL ORDER :

Shri Kashinath D. Shinde, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. Perused the original order and other record.
3. Issue notice to respondents in C.P. No. 6/2019, returnable on 25.04.2019.
4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
5. 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.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

C.P.NO. 6/2019 IN O.A.NO. 19/2013

(Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. 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.

8. 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.

9. S.O. to 25.04.2019.

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

MEMBER (A)

VICE CHAIRMAN

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

**CHAMBER APPEAL NO. 09 OF 2019
(Dr. Shridhar K. Kendre Vs. The State of Maharashtra and Others.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : HON'BLE JUSTICE M.T. JOSHI, V.C.

DATE : 11.03.2019.

ORAL ORDER:

Heard Shri Rajendra M. Lone, learned Advocate for the applicant.

2. Vide order dated 22.02.2019 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 18.01.2019 the office has raised the following office objections:

-

- 1) Rs. 60 I.P.O. deficit.
- 2) As per prayer clause '3' O.A. appears to be barred by limitation.
- 3) P. No. 15 to 18, 20, 26, 27, 28, 29, 34 not legible.
- 4) Copy of order at Exhibit D-1 on page No. 6 of O.A. not filed as annexure.
- 5) Exhibit 'K' not tallying with page No. 51, 53 and also not marked correctly.

3. It appears that objection Nos. 1, 3, 4 & 5 are already removed by the applicant on 16.02.2019.

CHAMBER APPEAL NO. 09 OF 2019

So far as office objection No. 2 is concerned, the learned Advocate for the applicant has filed M.A. for condonation of delay on 08.03.2019.

4. Technically the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objections 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 was refused. The fact that the O.A. is for encashment of unutilized earned leaves with interest of 18% till its full realization and also for 3 additional increments in salary as per G.R. dated 14.12.2011 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 as the applicant shall not suffer for the negligence of his Advocate.

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

O R D E R

(i) Chamber Appeal No. 09/2019 is allowed as the applicant has already removed the office objections.

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

VICE CHAIRMAN

ORAL ORDERS 11.03.2019-hdd