

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

**ORIGINAL APPLICATION NO.1051 OF 2019
(Shri Nandkishor B. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri Ashish B. Rajkar, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has produced the copy of communication dated 10.12.2019 received to him from the Applicant stating that he has been reinstated in service during the pendency of the Original Application and therefore, he wants to withdraw the same. He has also produced the copy of order dated 03.12.2019. The same are taken on record.

3. Learned Advocate for the Applicant states that the Applicant does not want to proceed with the Original Application and wants to withdraw the same as he has been reinstated in service. Therefore, he sought leave of this Tribunal to withdraw the O.A.

4. Learned P.O. for the Respondents has prayed to pass necessary order.

5. In view of the submission made by learned Advocate for the Applicant, leave as prayed for is granted. As the Applicant does not want to proceed

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O.A.1051/19

with the O.A. and wants to withdraw the same, the Original Application is disposed of as withdrawn. No order as to costs.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.398 OF 2018
(Dnyaneshwar K. Sanap V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri V.G. Pingle learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 23.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.733 OF 2018
(Kishor C. Koli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri S.P. Salgar, learned Advocate holding for Shri Nitin V. Gaware, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondent Nos.1 to 4. Shri A.P. Yenegure, learned Advocate for the Respondent No.5 **(Absent)**.

2. At the request of the learned Advocate for the Applicant, S.O. to 24.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.812 OF 2018
(Bhagwat P. Kapale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 22.01.2020 as a last chance.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.928 OF 2019
(Chandmiyan B. Munde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant seeks time to file application for condonation of delay. Time granted.
3. The Applicant shall amend the O.A. within two weeks.
4. The present matter is removed from board.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.663 OF 2019
(Veerbhadrapa M. Hanamsagar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri Mahesh C. Swami, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has filed affidavit-in-rejoinder. The same is taken on record and copy thereof has been served on the other side.

3. S.O. to 07.01.2020. Interim relief granted earlier to continue till then.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.640 OF 2019
(Pradeep M. Kaushike V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri S.D. Joshi learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-sur-rejoinder on behalf of the Respondent Nos.1 to 3. The same is taken on record and copy thereof has been served on the other side.

3. S.O. to 23.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.623 OF 2019
(Umesh B. Shahane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

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

2. At the request of the learned Advocate for the Applicant, S.O. to 23.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.552 OF 2019
(Mukhtar M. Ali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri S.D. Karkare, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent No.3. The same is taken on record and copy thereof has been served on the other side.

3. S.O. to 07.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.478 OF 2019
(Dr. Anand S. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

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

3. S.O. to 06.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.890 OF 2018
(Shaikh Dadamiya Shaikh Hussain & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

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

2. Learned P.O. for the Respondents has filed affidavit-in-sur-rejoinder on behalf of the Respondent Nos.1 to 3. The same is taken on record and copy thereof has been served on the other side.

3. Admit. To come up for final hearing on 23.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.896 OF 2019
(Kailash N. Walkatti V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Shri Kiran G. Salunke, learned Advocate for the Applicant (**Absent**).

Heard Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has produced the copy of the bill regarding disbursement of salary of the Applicant for the month of July, 2019 to October, 2019. The same is taken on record.

3. Learned P.O. for the Respondents submits that the purpose of the filing the Original Application has been served and therefore, he prayed to dispose of the O.A. accordingly.

4. Since the Applicant remained absent, S.O. to 20.12.2019 for hearing and making statement on behalf of the Applicant in that regard.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.846 OF 2019
(Ramesh H. Sapkal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Shri Manoj U. Shelke, learned Advocate for the Applicant (**Absent**).

Heard Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent Nos.1 and 2. The same is taken on record.
3. S.O. to 10.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.443 OF 2019
(Rinesh D. Gavit V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

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

2. Learned P.O. for the Respondents states that he will file affidavit-in-reply during the course of the day.
3. S.O. to 23.01.2020. Interim relief granted earlier to continue till then.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.801 OF 2018
(Vikas B. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri Suresh P. Salgar, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-sur-rejoinder on behalf of the Respondent Nos.1 to 3. The same is taken on record and copy thereof has been served on the other side.

3. Admit. To come up for final hearing on 24.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**M.A.NO.592 OF 2019 IN O.A.ST.NO.2196 OF 2019
(Arvind A. Joshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri Vishal Bakal, learned Advocate holding for Shri V.S. Kadam, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant seeks leave of this Tribunal to amend the prayer clause in the Original Application.
3. Leave as prayed for is granted.
4. The Applicant shall amend the O.A. within two weeks.
5. The present matter is removed from board.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**M.A.NO.343 OF 2019 IN O.A.NO.748 OF 2017
(Parasram N. Sonawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri Adhip Ghosh, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondent Nos.1,2 & 4 to 6. Shri S.S. Bhuse, learned Advocate for the Respondent No.3 **(Absent)**.

2. Learned P.O. for the Respondents states that she will file affidavit-in-reply on behalf of the Respondent No.2 in Original Application and Misc. Application during the course of the day.

3. S.O. to 24.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**M.A.NO.55 OF 2019 IN O.A.ST.NO.45 OF 2019
(Amol S. Pedapalli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri A.P. Sonpethkar, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 23.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO.252 OF 2019
(Prakash D. @ Motiram Khatal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Shri Manoj Shelke, learned Advocate for the Applicant (**Absent**).

Heard Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. Nobody appeared for the Applicant. It seems that the Applicant is not interested in prosecuting the matter. Hence, the O.A. is dismissed in default. No order as to costs.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

Later On:-

Heard Shri Manoj Shelke, leaned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

1. Learned Advocate for the Applicant present and submitted that he was unable to appear before this tribunal in the morning session as he was busy in another court. Therefore, the present Original

Application is dismissed in default. Therefore, he prayed to recall the order of dismissal passed by this Tribunal today and restore the O.A. to its original file.

2. In view of the submission made by the learned Advocate for the Applicant, the order of dismissal passed by this Tribunal today in O.A.No.252 of 2019 is hereby recalled and consequently, the O.A. is restored to its original number.

3. S.O. to 02.01.2020.

ACTING CHAIRMAN

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

**ORIGINAL APPLICATION NOS.966 TO 979 ALL OF 2019
(Prakash V. Deshpande & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri Vivek G. Pingle, learned Advocate for the Applicants in all the O.As. and Shri M.S. Mahajan, learned C.P.O., Smt. Deepali S. Deshpande, Shri N.U. Yadav, Smt. Sanjivani K. Deshmukh-Ghate, Shri D.R. Patil, Smt. M.S. Patni, Shri B.S. Deokar, Shri V.R. Bhumkar and Shri M.P. Gude, learned Presenting Officers for the Respondents in respective O.As.

2. Learned Advocate for the Applicants states that the Applicants intend to file the application for amendment. Therefore, he sought four weeks time. Time as prayed for is granted.

3. The matters are removed from board.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

ORIGINAL APPLICATION NO.666 OF 2017

WITH

ORIGINAL APPLICATION NO.560 OF 2017

**(Dr. Zulphiquar Hussain Ahmed Ismail Patel & Ors. V/s. State of Maharashtra &
Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the Applicant in O.A.No.666/2017, Shri Jayant S. Deshmukh, learned Advocate for the Applicant in O.A.No.560/2017, Smt. M.S. Patni, learned Presenting Officer for the Respondent Nos.1 to 3 in O.A.No.666/2017 and for Respondent Nos.1 to 3 & 5 in O.A.No.560/2017 and Smt. Vaishali Shinde, learned Advocate for the Respondent No.4. Shri Rajdeep D. Raut, learned Advocate for the Respondent Nos.4 & 5 in O.A.No.666 of 2017 (**Absent**).

2. Heard on the point of maintainability. The cases are reserved for order.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**M.A.NO.516 OF 2019 IN O.A.ST.NO.2083 OF 2019
(Rekhabai C. Bahiram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Shri B.K. Patil, learned Advocate for the Applicant (**Absent**).

Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

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

3. S.O. to 27.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**M.A.NO.347 OF 2019 IN O.A.ST.NO.1444 OF 2019
(Vijaykumar M. Nawale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the Applicant, Shri M.P. Gude, learned Presenting Officer for the Respondent Nos.1 & 2 and Shri V.B. Wagh, learned Advocate for the Respondent No.5. Nobody appeared for the Respondent Nos.3 & 4.

2. At the request of the learned Advocate for the Applicant, S.O. to 16.01.2020.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**M.A.NO.195 OF 2019 IN O.A.ST.NO.674 OF 2019
(Suresh G. Tanale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 13.12.2019.

ORAL ORDER :

Shri B.R. Kedar, learned Advocate for the Applicant (**Absent**).

Heard Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents states that the Respondents do not want to file affidavit-in-reply.
3. S.O. to 21.1.2020 for hearing.

ACTING CHAIRMAN

SAS ORAL ORDERS 13.12.2019.

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

**ORIGINAL APPLICATION NO. 192 OF 2016
(Shri Maroti Shivram Koli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

Heard Shri Syed Zahed Ali, learned Advocate holding for Shri M.A. Golegaonkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request and by consent of both the parties, S.O. to 21.01.2020.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 421 OF 2018
(Shri Manoj Suresh Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

Heard Shri Syed Zahed Ali, learned Advocate holding for Shri M.A. Golegaonkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request and by consent of both the parties, S.O. to 21.01.2020.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 615 OF 2018
(Desai Timma Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

Heard Shri Adhip Ghosh, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 24.01.2020 for filing sur-rejoinder.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 771 OF 2018
(Shri Shrihari D. Ghogare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

Heard Shri B.A. Dhengle, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri M.V. Bharuka, learned Advocate for respondent No. 4.

2. At the request and by consent of both the parties, S.O. to 22.01.2020.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 385 OF 2019
(Shri Suresh U. Nande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 22.01.2020 for filing affidavit in reply on behalf of rest of the respondents.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 497 OF 2019
(Shri Ravindra N. Turukmane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

Heard Shri Y.K. Kanade, learned Advocate holding for Shri Hemant Surve, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 22.01.2019 for filing affidavit in reply.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 941 OF 2019
(Dr. Shukracharya G. Dudhal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

Heard Shri Adhip Ghosh, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 24.01.2019 for filing affidavit in reply.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 1066 OF 2019
(Shri Vasant A. Manorkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 19.12.2019.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 99 OF 2019
(Dr. Vinayak S. Sirsat & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 13.12.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicants, S.O. to 20.01.2020 for enabling him to take instructions from the applicants.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**ORIGINAL APPLICATION NO. 1057 OF 2019
(Shri Jeevan B. Thosar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

[The present matter is placed before the Single Bench due to non-availability of the Division Bench.]

DATE : 13.12.2019

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 22.01.2020.

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.

O.A. NO. 1057 OF 2019

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 22.01.2020.

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

ACTING CHAIRMAN

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

**ORIGINAL APPLICATION NO. 73 OF 2015
(Shri Netaji N. Gore V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

[The present matter is placed before the
Single Bench due to non-availability of the
Division Bench.]

DATE : 13.12.2019

ORAL ORDER :

Shri Gajanan Kadam, learned Advocate for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1, 2, & 6 to 8 and Shri S.D. Dhongde, learned Advocate for respondent Nos. 3 to 5, were present.

2. It appears from the proceedings that on the last occasion i.e. on 11.11.2019 nobody appeared for the applicant. Today also nobody appeared for the applicant.

3. In view of the above, S.O. to 07.01.2020 for securing the appearance of the applicant or his Advocate or for passing order of dismissal.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

**O.A.NO. 820/2018 WITH O.A.NO. 617/2018
(Shri Rohit S. Mhaske & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

[The present matter is placed before the
Single Bench due to non-availability of the
Division Bench.]

DATE : 13.12.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants in both these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both these cases.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 1 in O.A. No. 617/2018.

3. It appears from the proceeding that on the last occasion i.e. on 05.12.2019 at the request of learned Presenting Officer time was granted as a last chance for filing affidavit in reply on behalf of respondent No. 1. However, in the interest of justice time till 18.12.2019 is granted to file affidavit in reply of the respondent No. 1 subject to cost of Rs. 10,000/- (Rs. Ten thousand only). The amount of costs of Rs. 10,000/- to be deposited in the office of this Tribunal.

4. S.O. to 18.12.2019.

ACTING CHAIRMAN

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

**M.A.NO. 525/2019 IN O.A.NO. 694/2018
(Shri Sunil T. Suryawanshi & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

[The present matter is placed before the
Single Bench due to non-availability of the
Division Bench.]

DATE : 13.12.2019

ORAL ORDER :

Heard Shri M.S. Sonwane, learned Advocate for
the applicants in M.A., Shri M.S. Mahajan, learned
Chief Presenting Officer for the respondent Nos. 2 to 4
in M.A. and Shri Avinash S. Deshmukh, learned
Advocate for respondent No. 1 in M.A. / applicant in
O.A.

2. At the request of learned Chief Presenting Officer
for the respondent Nos. 2 to 4 in M.A., S.O. to
20.01.2020.

ACTING CHAIRMAN

ORAL ORDERS 13.12.2019-HDD

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

ORIGINAL APPLICATION NO. 1075 OF 2019

**(Ms. Rohini R. Mugale alias Sau. Rohini M. Bhosale V/s. State of Maharashtra &
Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

[The present matter is placed before the
Single Bench due to non-availability of the
Division Bench.]

DATE : 13.12.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate holding
for Shri Pratap G. Rodge, learned Advocate for the
applicant and Shri M.S. Mahajan, learned Chief
Presenting Officer for the respondents.

2. Learned Advocate for the applicant insists for
hearing on the point of interim relief.

3. The applicant has challenged the order dated
05.12.2019 issued by the respondent No. 2; thereby
terminating the services of the applicant from the post
of Assistant Fisheries Development Officer. Learned
Advocate for the applicant has submitted that the
applicant has applied for the post of Assistant
Fisheries Development Officer in response to the
advertisement dated 28.12.2018 issued by the
respondent No. 2. Learned Advocate for the applicant
has argued that the applicant has applied for the post
of Assistant Fisheries Development Officer from Open-
Female Category and she has claimed herself from
Non-Creamy Layer Category. He has submitted that at

that time the applicant was unmarried and her engagement ceremony was performed on 28.11.2018. He has submitted that after participating in the recruitment process she has been selected on the post of Assistant Fisheries Development Officer and accordingly she was appointed on the said post by order dated 28.08.2019 and she joined on the said post on 09.09.2019. He has submitted that respondents asked her to file Non-Creamy-Layer Certificate. He has submitted that in the meanwhile applicant's marriage was performed. Therefore, the applicant has filed Non-Creamy-Layer Certificate of her husband's family. He has submitted that the respondents has not considered the said certificate and issued termination order. He has submitted that the impugned order is illegal and, therefore, he prayed to stay the execution and operation of the said order by granting interim relief in favour of the applicant.

4. Learned Chief Presenting Officer has submitted that at the time of filling of application the applicant was unmarried. He has submitted that Caste Certificate and Non-Creamy-Layer certificate of her father was submitted when she participated in the recruitment process. He has submitted that at time of filling an application the applicant was in service and she was getting income also. The Competent Authority has certified that she does not belong to persons mentioned in the G.R. dated 30.11.2018. He has submitted that accordingly the certificate has been

issued on 25.08.2019. He has argued that as per the terms and conditions of the advertisement the Non-Creamy-Layer Certificate shall be issued by the Competent Authority on or before 31.03.2018, but the applicant has not complied the said condition. He has submitted that at the time of recruitment the applicant was not having Non-Creamy-Layer Certificate. Therefore, the competent authority has rightly passed the impugned order. He has submitted that the order has already been implemented. Therefore, no question for granting stay to the impugned order arises. Hence, he prayed to reject the interim relief.

5. On perusal of the record, it reveals that as per condition mentioned in the advertisement the candidate claiming the benefit of Non-Creamy-Layer Category has to produce the Certificate issued by the competent authority on or before 31.03.2018. At the time of filling application the applicant was unmarried. She filed the Caste Certificate and Non-Creamy-Layer Certificate dated 25.03.2019 issued by the Sub-Divisional Officer, Gangakhed, wherein it has been specifically mentioned that she is not coming under the Non-Creamy-Layer Category, but she has been given appointment. Thereafter, the respondents called her to produce the Non-Creamy-Layer Certificate and give her explanation. The applicant has given explanation and produced another Non-Creamy-Layer Certificate of her husband's family dated 25.10.2019. *Prima facie* it seems that on the date of filling

application the applicant did not possess Non-Creamy-Layer Certificate as required. *Prima facie*, it seems that she misled the concerned authority and got appointment in her favour. The competent authority after giving an opportunity of hearing passed the impugned order dated 05.12.2019 and terminated her service. The order has already been implemented. Therefore, no question of staying the impugned order arises. In these circumstances, in my view this is not a fit case to grant of interim relief. Hence, request made by the applicant to grant of interim relief stands rejected.

6. Issue notices to the respondents, returnable on 22.01.2020.

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

8. 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.

9. 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.

10. 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.

11. 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.

12. S.O. to 22.01.2020.

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

ACTING CHAIRMAN

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

**C.P.NO. 57/2018 IN O.A.NO. 210/2013
(Shri Madhukar R. Mapari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

[The present matter is placed before the
Single Bench due to non-availability of the
Division Bench.]

DATE : 13.12.2019

ORAL ORDER :

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

2. Dr. Gawande Shyamkant, D.M.O., Jalna is
present today before this Tribunal.

3. Learned Chief Presenting Officer has filed copy of
communication dated 09.12.2019 along with order
10.12.2019 and the same are taken on record and
marked as document 'X' collectively for the purposes of
identification.

4. Learned Chief Presenting Officer has submitted
that contemnor No. 1 viz. Dr. Pradipkumar Vyas,
Principal Secretary, Public Health Department, M.S.
Mantralaya, Mumbai, is not able to appear today
before this Tribunal as assured by him on the previous
date i.e. on 04.12.2019, as he is attending conference
at Delhi. He has submitted that contemnor No. 1
could not be appeared before this Tribunal on the last
dates and also today because of his busy schedule. He

has submitted that there is no intention on the part of the contemnor No. 1 to disobey the directions given by this Tribunal and, therefore, prayed to grant exemption for the absence of the contemnor No. 1.

5. Learned Advocate for the applicant has submitted that the contemnor No. 1 is in habit of disobeying the order of this Tribunal. He has submitted that contemnor No. 1 has disobeyed the order in question dated 30.01.2017 passed in O.A. No. 210/2013. Thereafter also he has flouted the directions given by this Tribunal in the contempt petition. He has submitted that contemnor is avoiding to appear before this Tribunal on one and another ground and mainly on the ground that he is busy in attending the meetings and conferences. Therefore, he prayed to take coercive steps against the contemnor No. 1 for securing his presence.

6. On perusal of the record, it reveals that notices were issued in the contempt petition to the contemnors on 17.07.2018. Contemnors appeared through the learned Chief Presenting Officer and they have filed their affidavit in reply. Thereafter, on 11.09.2019 the contemnor was directed to remain present personally before this Tribunal and the contempt petition was adjourned to 19.09.2019. However, on that date also contemnor No. 1 remained absent before this Tribunal. The contemnor on his own assured that he will remain

present before this Tribunal on the next date, but thereafter he remained absent on the ground that he was out of station. On 04.12.2019, learned Chief Presenting Officer has made statement that he would keep all the contemnors present in person before this Tribunal on the basis of instructions received to him, but today contemnor No. 1 has not appeared before this Tribunal though he was aware about the fact that he has to remain present today before this Tribunal in C.P. No. 57/2018. Today, he is seeking exemption on the ground that he is out of headquarter.

7. All these facts show that the contemnor No. 1 is flouting the directions given by this Tribunal from time to time. He has no regard and respect towards the Tribunal. He is intentionally and deliberately disobeying the orders / directions given by this Tribunal. Therefore, in order to secure his presence it is necessary to take coercive step against him. Hence, it is just to issueailable warrant of Rs. 5,000/- against contemnor No. 1 in view of Rule 9 of the Maharashtra Administrative Tribunal (Contempt of Courts) Rules, 1996.

8. Issueailable warrant of Rs. 5,000/- to contemnor No. 1, Dr. Pradipkumar Vyas, Principal Secretary, M.S. Mantrlaya, Mumbai, returnable on 28.01.2020.

ACTING CHAIRMAN

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

**O.A. NOS. 445, 446, 447, 449, 450, 451, 452, 453, 454, 455, 456,
457, 458, 459, 494 113 AND 114 ALL OF 2017 WITH M.A.
325/2017 In O.A. St. 941/2017 WITH M.A. No. 36/2019 in M.A. St.
82/2019 in O.A. St. 83/2019 & M.A.NO. 144/19 IN O.A.ST.400/19,
M.A. 498/2019 IN O.A. ST. 1959/2019
(Marathwada Van Va Samjik Vanikaran Rojandari Va Kayam
Kamgar Karmachari Va Sarva Shramik Sanghatana & Ors. V/s.
State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 13.12.2019

ORAL ORDER :

Heard S/Shri A.R. Lukhe, learned Advocate holding for Shri A.S. Shelke, S.S. Shinde & V.G. Pingle, learned Advocates for the respective applicants in respective cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases.

2. Learned Chief Presenting Officer seeks time for filing sur-rejoinder of the respondents. Time granted.

3. In the circumstances, S.O. to 15.2.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 13.12.2019