

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

**ORIGINAL APPLICATION NO.922/2017  
(Pandurang R. Chinchale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, the learned Presenting Officer for respondent No.1 and Shri Sham Patil, learned Advocate holding for Shri D.T. Devane, learned Advocate for the Respondent Nos.2 & 3.

2. At the request of the learned Advocate for the Respondent Nos.2 & 3, adjourned to 30.1.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.699/2018  
(Kalpana D. Kulkarni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri A.B. Rajkar, learned Advocate holding for Shri Sujeet D. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, the learned Presenting Officer for respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent Nos.2 and 3. The same is taken on record and copy thereof has been served on the Applicant.

3. S.O. to 12.02.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.754/2018  
(Bharat A. Wani V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri S.M. Shegaonkar, learned Advocate for the applicant and Shri B.S. Deovkar, the learned Presenting Officer for respondents.

2. As the pleadings are completed the matter is admitted for final hearing on 12.2.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

**FARAD CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO.857/2018**  
**(Shashishekhar L. Shelgaonkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Shri S.S. Kulkarni, learned Advocate for the applicant is **absent**. Heard Shri D.R. Patil, the learned Presenting Officer for respondents.

2. None appeared for the applicant. No steps have been taken by the applicant for issuing notice to the address of Respondent No.3.

3. Hence, fixed for dismissal order on 11.2.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.826/2018**  
**(Prashant S. Yadav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Learned C.P.O. for the Respondents has produced the copy of order dated 28.12.2018 issued by the Account General, Nagpur stating that impugned order directing recovery of Rs.1,97,629/- has been withdrawn and the amount recovered from the pensionary benefits of the Applicant will be refunded to the applicant. It is taken on record.

3. Learned C.P.O. for the Respondents has submitted that bill regarding refund of the amount recovered from the applicant has been prepared and the said amount will be paid to the Applicant in due course.

4. Learned C.P.O. for the Respondents has further submitted that, in view of the communication placed on record, the purpose of filing Original Application has been served and nothing remains in the Original

Application, therefore, he prayed to dispose of the Original Application.

5. Learned Advocate for the applicant has no grievance regarding the communication dated 28.12.2019. He prayed to dispose of the Original Application. But he prayed to direct the Respondents to pay the amount to the applicant within stipulated time.

6. In view of the submission made by the learned C.P.O. and communication placed on record, the purpose of filing Original Application has been served. The impugned order has been withdrawn by the Accountant General with the direction to refund the amount recovered from the Applicant. Therefore, nothing remains in the Original Application. Hence, the Original Application is disposed of accordingly. No order as to costs.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.451/2018  
(Bhagwat N. Pujari V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

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

2. By consent adjourned to 31.1.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

**FARAD CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO.685/2018**  
**(Naserkhan Rahimkhan Pathan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

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

2. Learned P.O. for the Respondents has produced the copy of order dated 01.01.2019 by which the Respondent has granted special allowance to the applicant for the period from 1.6.2017 to 03.08.2018. The same is taken on record.

3. Learned Advocate for the applicant has submitted that the applicant has received the said communication and he is satisfied with this subsequent development. He has further submitted that the purpose of filing Original Application has been now served and she has no objection to dispose of the O.A. But she has prayed to direct the Respondents to disburse the amount to the applicant within stipulated time.

4. Learned P.O. for the Respondents has submitted that since the purpose of filing Original Application is served, the O.A. may be disposed of. He has further



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O.A.No.685/18

submitted that the amount for the said period will be paid to the applicant in due course.

5. In view of order dated 1.1.2019, issued by the Respondents, the purpose of filing the O.A. is served and nothing remains in the Original Application. Hence, Original Application is disposed of. No order as to costs.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.321/2018  
(Babasaheb R. Gatkal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri Sandeep G. Kulkarni, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the Applicant, adjourned to 04.02.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.110/2018**  
**(Dr.Vijaykumar M. Bhayekar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri Vishwash B. Wagh, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents. Shri A.B. Shinde, the learned Advocate for the Respondent No.3 is **absent**.

2. Learned P.O. for the Respondents seeks time on the ground that she had informed the Respondent Nos.1 & 2 to file affidavit-in-reply in the matter.

3. On perusal of record it reveals that already ample opportunity has been given to the Respondents to file affidavit-in-reply but the Respondents have failed to file affidavit-in-reply in time. The Original Application has been filed in the month of February, 2018 but the Respondents have not filed reply till date. There is no just ground to grant further time.

4. In this circumstance, in the interest of justice, last chance is granted to the Respondent Nos.1 & 2, subject to cost of Rs.5,000/-.

5. S.O. to 31.1.2019.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.934/2018  
(Smt. Sulochana wd/o K. Jadhav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Smt. Priya Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the applicant, adjourned to 23.01.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**MISC. APPLICATION NO.9/2019**

**IN**

**ORIGINAL APPLICATION NO.979/2018**

**(Baburao C. Mahire V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : .14.01.2019**

**ORAL ORDER :**

Shri Y.H. Jadhav, learned Advocate for the applicant is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. In view of the absence of learned Advocate for the applicant, adjourned to 14.02.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.922/2017  
(Pandurang R. Chinchale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

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

2. At the request of the learned Advocate for the applicant, adjourned to 30.01.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.532/2017  
(Tukaram S. Gaikwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

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

2. At the request of the learned Advocate for the applicant, adjourned to 31.01.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.51/2017  
(Deelip M. Shinde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

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

2. At the request of the learned Advocate for the applicant, adjourned to 04.02.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp



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

**ORIGINAL APPLICATION NO.395/2017  
(Smt. Shobha R. Pathak V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri Sujeet D. Joshi, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent No.1 and Shri S.B. Mene, the learned Advocate for the Respondent Nos.2 & 3.

2. This case shall not be placed before the bench to which Shri B.P. Patil, is a member.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**MISC. APPLICATION NO.68/2018**

**IN**

**ORIGINAL APPLICATION NO.15/2017**

**(Subhash M. Sonwane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : .14.01.2019**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant wants to amend the Original Application and substitute the prayer clause 5(a) in stead of earlier prayer clause.

3. Learned Advocate for the Applicant has contended that due to wrong calculation, the applicant's pensionary service has been counted as 26 years, 9 months and 8 days instead of 14 years, 8 months and 12 days and therefore, he wants to correct the said prayer clause by way of proposed amendment. He has submitted that the proposed amendment is of formal nature and therefore, no prejudice will be caused to the Respondents in case of allowing the application. Therefore, he prayed to allow the MA.

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

5. On perusal of the contention raised by the Applicant in O.A it reveals that Applicant is seeking pensionary benefits on account of his qualifying service of 26 years, 9 months and 12 days. The applicant has contended that he has mistakenly mentioned his qualifying service as 26 years, 9 months and 12 days in the prayer clause 5(a) in stead of 14 years, 8 months and 12 days.

6. It seems the applicant has mistakenly calculated the period of his qualifying service as 26 years, 9 months and 12 days instead of 14 years, 8 months and 12 days and therefore, he wants to amend the O.A. by replacing prayer clause 5(a). The proposed amendment is of formal nature and it will not cause prejudice to the rights of the Respondents. Hence, the same requires to be allowed.

7. In view of this, Misc. Application is allowed. Leave to amend the O.A. as prayed for is granted. Applicant shall amend the O.A. forthwith.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.15/2017**  
**(Subhash M. Sonwane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 14-02-2019.

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

4. Applicants are 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

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O.A.NO.15/2017

and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

7. If notice is not collected within 3 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 14.02.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.912/2017  
(Balaji P. Gaikwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri A.S. Deshpande, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent Nos.1 to 3, Shri R.P. Bhumkar, learned Advocate holding for Shri S.R. Yadav, learned Advocate for the Respondent No.4. Shri S.S. Deshmukh, learned Advocate for the Respondent No.5 is absent.

2. At the request of the learned Advocate for the Respondent No.4, adjourned to 28.01.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.907/2017  
(Balaji G. Jadhav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri R.P. Bhumkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos.1 to 3 and Shri G.N. Patil, learned Advocate for the Respondent Nos.4 & 5.

2. At the request of the learned Advocate for the Applicant, adjourned to 5.2.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.881/2017  
(Dr. Manohar T. Jadhav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri Sujeet D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the Applicant, adjourned to 5.2.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp



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

**ORIGINAL APPLICATION NO.523/2018  
(Ravindra K. Deshmukh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri Vinayak H. Solanke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-reply in compliance of order dated 08.01.2019 on behalf of the Respondent No.1. The same is taken on record.

3. At the request of the learned P.O. for the Respondents, adjourned to 16.01.2019.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.600/2017  
(Lata B. Darade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

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

2. By consent adjourned to 4.02.2019. Be treated as part-heard.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.710/2017**  
**(Sharad R. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri Sujeet D. Joshi, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant states that the applicants do not want to proceed with the Original Application and want to withdraw the same with liberty to approach the appropriate forum and therefore he prayed to dispose of the Original Application accordingly.

3. Learned P.O. for the Respondents has prayed to pass necessary orders since the applicants do not want to proceed with the O.A. and want to withdraw the same.

4. In view of the submission of the learned Advocate for the applicants and learned P.O., Original Application is disposed of as withdrawn with liberty to approach the appropriate forum. No order as to costs.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**ORIGINAL APPLICATION NO.881/2018**  
**(Dr. Manohar T. Jadhav. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : .14.01.2019**

**ORAL ORDER :**

Heard Shri Sujeet D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned P.O. for the Respondents on instructions received from Dr. B.S. Kamlapurkar, D.H.O., Jalgaon and Dr. Pramod B. Pandhare, A.D.H.O., Jalgaon submits that the Respondents have taken corrective steps in the matter and they are going to issue the necessary orders in view of the directions given by Joint Director, Health Service, Mumbai on 15.5.2017 by today or tomorrow and, therefore, he prayed to dispose of Original Application accordingly.

3. Learned Advocate for the applicant has no objection to dispose of the Original Application as the responsible officers have made a statement to take corrective steps in respect of the relief claimed by the Applicant and therefore, prayed to dispose of the O.A.

4. In view of the above, Original Application is disposed of as the purpose of filing O.A. has been served. No order as to costs.

**MEMBER (J)**

SAS ORAL ORDER 14-01-2019 bpp

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

**M.A. ST. 50/2019 IN O.A. 904/2018  
(Shri Shaikh Ayyub Shaikh Jaleel V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri Zia-Ul-Mustafa, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The present misc. application has been filed by the applicant with a prayer that the list of employees due for promotion as 'Group Instructor' dated 12.12.2018 for the period 1.9.2018 to 31.8.2019 is required to be stayed and no orders for promotion for the post of 'Group Instructor' be issued, till the decision of Original Application No. 904/2018.

3. Learned Advocate for the applicant submits that the list of employees to be promoted to the post to which the present applicant is putting his claim in O.A. no. 904/2018, is prepared by the res. no. 3. He submits that in case those appointments on promotion are made, the O.A. no. 904/2018 filed by the present applicant may become infructuous.

4. By accepting the above submissions of the learned Advocate for the applicant, the present misc.

application is disposed of with a direction to the res. no. 3 that promotion, if any, made as per the list prepared by him, shall be subject to final decision of the Tribunal in O.A. no. 904/2018 and the concerned respondents to put a note below such promotion order thereby notifying the concerned candidate to be promoted of the existence of O.A. no. 904/2018.

5. With the above directions, the present misc. application is disposed of without any order as to costs.

6. Accordingly, O.A. no. 904/2018 to come up for hearing on 6.2.2019 as directed earlier.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 487/2017  
(Shri Bhagwanrao J. Nagargoje V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

None appears for the applicant. Shri B.S. Deokar, learned Presenting Officer for the respondents, is present.

2. At the request of learned P.O., S.O. to 6.2.2019 for filing sur-rejoinder, if any and also for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 14-01-2019

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

**ORIGINAL APPLICATION NO. 813/2017  
(Shri Nagesh M. Phad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri Vivek Bhavthankar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 3. None appears for respondent no. 4, though duly served.

2. The res. no. 4 is not appeared in the present matter despite service of notice. In the circumstances, issue final hearing notice to the res. no. 4, returnable on 13.2.2019.

**MEMBER (A)**

**VICE CHAIRMAN**



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

**ORIGINAL APPLICATION NO. 152/2007  
(Shri Vijaykumar B. Rathi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant files on record affidavit of the applicant along with relevant documents as per the order dtd. 18.12.2018. It is taken on record and copy thereof has been served upon the learned P.O. for the respondents.

3. Learned P.O. submits that no appeal is pending before His Excellency Hon'ble the Governor. He files on record copy of communication received to him in this regard, which is taken on record and marked as document 'X' for the purpose of identification.

4. In the circumstances, learned P.O. is directed to file copy of decision, if any, of the Hon'ble Governor on the appeal of the applicant. At his request, S.O. to 12.2.2019 for taking instructions on the above line and filing of necessary document, if any.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 14-01-2019

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri B.R. Borkar, learned Advocate for the applicants and Shri M.P. Gujde, learned Presenting Officer for the respondents.

2. The matter is reserved for judgment, with liberty to both the sides to file written notes of arguments, if any. The written notes of arguments be filed on or before 21.1.2019.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 14-01-2019

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

**ORIGINAL APPLICATION NO. 484/2013  
(Shri Nagnath S. Jadhav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. Learned P.O. submits that in view of the established law that there shall not be any recruitment except open public competition, the present O.A. may not be tenable and, therefore, there is no need to file any additional affidavit in reply as directed by the Tribunal earlier.

3. In view of absence of applicant and his learned Advocate, S.O. to 21.1.2019 for hearing on the above line.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 641/2015**

**WITH**

**MISC. APPLICATION NO. 461/2016**

**(Shri Bhagatsingh P. Patil (Pawar) V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Smt. Juee Parlekar - Parlikar, learned Advocate holding for S/shri Minind Patil / S.D. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to file rejoinder. It is to be noted that Hon'ble High Court requested the Tribunal vide order dtd. 18.12.2018 in W.P. No. 6094/2018, to dispose of the present O.A. within 3 months from 18.12.2018. In the circumstances, as a last chance, S.O. to 22.1.2019 for filing rejoinder as well as for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 245/2015  
(Shri Jagannath H. Mhaske V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Ms. Rebekah Danial, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Heard the learned Advocate for the applicant. Learned P.O. seeks one day's accommodation for arguing the case. In the circumstances, at the request of learned P.O., S.O. to 15.1.2019 for hearing the arguments of learned P.O. and also for filing written notes of arguments by the learned Advocate for the applicant.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 471/2015  
(Shri Vishal B. 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 : 14.01.2019**

**ORAL ORDER :**

Heard Shri G.S. Shembole, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant would be satisfied, if a statement of res. no. 1 as contained in communication dtd. 26.5.2015 (Annex. R.2 page 37) sent by the res. no. 1 to res. no. 3 is accepted and the res. no. 3 took a decision according to law prevailing on the said communication.

3. Accordingly the present O.A. is disposed of without any order as to costs and the res. nos. 1, 3 & 4 are hereby directed to act on the communication dtd. 26.5.2015 (Annex. R. 2 page 37) as per law.

4. Steno copy / hamdast allowed for the use of both the sides.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 187/2017  
(Shabdashree T. Bhangе 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 : 14.01.2019**

**ORAL ORDER :**

Heard Shri G.V. Mohekar, learned Advocate holding for Shri R.B. Gaikwad, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Advocate submits that issue involved in the present O.A. is already decided by the Hon'ble High Court and copy of said judgment would be filed on record on the next date. Learned P.O. submits that another matter in which similar issue is involved is pending before the Hon'ble High Court and it is fixed for hearing on 21.1.2019. In the circumstances, S.O. to 28.1.2019 for reporting progress in the pending writ petition and also for filing of copy of judgment by the applicant.

**MEMBER (A)**

**VICE CHAIRMAN**



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

**O.A.NOS. 553/2013 & 639, 640, 676, 681, 682, 803, 860, 864, 897,  
905 TO 910 ALL OF 2012 AND 243, 259, 260 & 325 /2013 AND  
626/2014 WITH O.A. 611/2013**

**(Shri Rashid Sk Noor Patel & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned Advocate for the applicants in all these cases and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these cases.

2. Learned Advocate for the applicants submits that compliance of the order dtd. 20.12.2018 cannot be made today for want of instructions from the concerned applicants regarding judgments. In the circumstances, at his request, as a last chance, S.O. to 12.2.2019 for compliance of the order dtd. 20.12.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 233/2017  
(Dr. Balkrishna Harishchandrarao Namdhari V/s. State of  
Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 14.01.2019**

**ORAL ORDER :**

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

2. By filing the present Original Application the applicant inter-alia seeks following relief in terms of prayer clause B :-

*“(B) by issuing a appropriate order or directions the respondents may kindly be directed to condone the technical break occurring during each spell of appointment from 16.6.2001 to 21.10.2016 while working on the post of Associate Professor and grant of all the regular consequential annual increments and protect his pay correspondingly till date.”*

3. During the hearing the learned Advocate for the applicant files on record copy of G.R. dtd. 3.11.2018 issued by the State of Maharashtra, which is taken on record and marked as document as ‘X’ for the purpose of identification. Learned Advocate for the applicant also points towards the order in the writ petition no. 3484/2005 and the batch delivered by the Hon’ble

Bombay High Court, Bench at Aurangabad dtd. 27.11.2008 (A.6 page 65), decisions of this Tribunal in O.A. no. 257/2009 dtd. 4.3.2009 (Annex. 8 page 69), O.A. no. 69/2015 & the batch dtd. 17.7.2015 (Annex. A.9 page 75) and the order of Hon'ble Supreme Court of India in S.L.P. (Civil) nos. 18902-18915/2010 (Annex. A.7 page 68). He submits that the issue involved in the present matter is already settled and decided by the competent Courts and now accepted by the respondent State in view of G.R. dtd. 3.11.2018 (document 'X').

4. Reading of the decisions on which reliance is placed by the learned Advocate of this Tribunal, Hon'ble High Court & the Hon'ble Supreme Court (supra) and the G.R. dtd. 3.11.2018 issued by the respondent State would show that this Tribunal as well as Hon'ble High Court has directed for condonation of technical breaks occurred during each spell of appointments so far as Lecturers in Government Medical Colleges are concerned on certain terms and conditions.

5. In view of above facts, the present O.A. is also allowed and disposed of without any order as to costs with a direction to the concerned respondents to condone the technical breaks occurred during each spell of appointments of the applicant and grant

requisite annual increments and consequential benefits including leave benefits etc. to the applicant.

**MEMBER (A)**

**VICE CHAIRMAN**



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

**M.A.NO. 479/2018 IN O.A.NO. 592/2017  
(Shri Ravi Ambadas Jadhav Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

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

2. Heard both sides.

3. For the reasons stated in the present Miscellaneous Application, the same is allowed. The applicant is permitted to amend the Original Application. The applicant shall carry out the necessary amendment within 3 days in the office. Thereupon, affidavit in reply may be filed to the amended O.A. The respondents shall take corrective steps in view of the affidavit in reply to the amended application.

4. S.O. to 20.01.2019 for compliance or for filing affidavit in reply to the amended O.A.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**M.A.NO. 456/2018 IN O.A.ST.NO. 1919/2018  
(Shri Lakshman K. Nirmal Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 13.02.2019 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

**FARAD CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO. 568 OF 2018**  
**(Shri Sonyabapu G. Bachkar Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN**  
**AND**  
**SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri P.S. Dighe, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 3, Shri Parag Bhosale, learned Advocate for respondent No. 4 and Shri Santosh Patil, learned Advocate for respondent Nos. 5 & 6.

2. Upon hearing both the sides it appears that since disputed facts regarding limitation and jurisdiction are not that much clarified, these issues are kept open and the same shall be considered at the time of final hearing.

3. S.O. to 06.02.2019 for final disposal along with the issue of limitation, as well as, jurisdiction.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd



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

**ORIGINAL APPLICATION NO. 126 OF 2018  
(Dr. Shukracharya Gokul Dudhal Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned Advocate for the applicant and Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Special counsel for the respondents.

2. At the request of learned Advocate Shri S.G. Kulkarni holding for Shri Ajay Deshpande, learned Special Counsel for the respondents, S.O. to 29.01.2019.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**O.A.NOS. 267, 280 & 281 ALL OF 2018  
(Dr. Shrikant C. Pathak & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

S/Shri V.B. Wagh & Shamsunder Patil, learned Advocates for the respective applicants in respective cases and Shri B.S. Deokar, learned Presenting Officer for the respondents in both these cases.

2. Heard both the sides. The present cases are Reserved for orders. Liberty to file written notes of arguments is hereby granted. Written notes of arguments may be filed on or before 18.01.2019.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**T.A.NO. 3/2018 (W.P.NO. 9260/2018)  
(Shri Mangesh R. Datar & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that though some questions were discarded by the concerned respondents, as those were repeated in phase-wise online examination, the marks were not allotted on percentage basis for the phase where the total marks had become less.

3. She further submits that the questions were put to which wrong answers were standard answers and without inviting any objection, the assessment was done.

4. Learned Chief Presenting Officer seeks time to take instructions and to file affidavit / additional affidavit of the concerned respondents in this regard on record. At his request, S.O. to 23.01.2019 for filing affidavit / additional affidavit. Since the

**:: - 2 - ::**

**T.A.NO. 3/2018 (W.P.NO. 9260/2018)**

present case is pending since long, the said opportunity is granted as a last chance.

5. Learned Presenting Officer to act on steno copy.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**C.P.NO. 72/2018 IN O.A.NO. 677/2014  
(Dr. Santosh G. Shahane Vs. State of Maharashtra & Ors.)**

**W I T H**

**C.P.NO. 73/2018 IN O.A.NO. 676/2014  
(Dr. Shivkumar N. Halkude Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicants in both these cases and Shri M.P. Gude, learned Presenting Officer for the respondents in both these cases.

2. Learned Presenting Officer submits that compliance is made in C.P. No. 73/2018. He has filed a copy of communication dated 11<sup>th</sup> January, 2019 in that regard. The copy of the same is taken on record and marked as document 'X' for the purpose of identification.

3. In C.P. No. 73/2018, the learned Advocate for the applicant seeks one week's time to take instructions.

4. In C.P. No. 72/2018, the learned Presenting Officer seeks one week's time for compliance.

5. S.O. to 21.01.2019 for compliance by the respondents in C.P. No. 72/2018 and for taking instructions by the learned Advocate for the applicant in C.P. No. 73/2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 815 OF 2018  
(Shri Prakash G. Gadhe Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that she has not received any instructions regarding corrective steps as directed earlier by this Tribunal vide order dated 25.10.2018. At her request, S.O. to 04.02.2019 for compliance of the order dated 25.10.2018 passed by this Tribunal.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 289 OF 2018  
(Shri Suraj S. Patil Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 24.01.2019 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 226 OF 2017  
(Shri Baliram S. Kakade Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.01.2019.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd



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

**ORIGINAL APPLICATION NO. 978 OF 2018  
(Dr. Sudhir P. Chaudhary Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Both sides submit that in view of the earlier order passed by this Tribunal directing to take corrective steps, the corrective steps are now taken and the present applicant has also joined the service. The copies of communications are taken on record and marked as document 'X' collectively.

3. In view of aforesaid statement made by both the sides, nothing survives in the present Original Application and accordingly, the same is disposed of without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 854 OF 2018  
(Shri Bhima S. Chakale Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Smt. T.M. Tripathi, learned Advocate holding for Shri M.P. Tripathi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that during the course of the day affidavit in reply of respondent Nos. 2 & 3 would be filed during the course of the day. She further submits that presently affidavit in reply of respondent No. 1 is not required.

3. In the circumstances, S.O. to 30.01.2019 for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd

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

**O.A.NO. 892/2018 WITH O.A.NO. 901/2018  
(Shri Dhananjay D. Chandodkar & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN  
AND  
SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 14.01.2019**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in both these cases and Shri D.R. Patil, learned Presenting Officer for the respondents in both these cases.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 5 in O.A. No. 892/2018 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant. He seeks time for filing affidavit in reply of the respondents in O.A. No. 901/2018. Time granted.

3. S.O. to 01.02.2019 for filing affidavit in reply in O.A. No. 901/2018. Interim relief granted earlier in O.A. No. 892/2018 to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 14.01.2019-hdd