

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

**M.A. No. 41/2018 in O.A. No. 866/2018
(Shri Venkat M. Methe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. By filing the present Misc. Application No. 41/2018, the applicant wants to amend the O.A. and wants to challenge the order dated 17.11.2015, by which he has been punished in the Departmental Enquiry. It is his contention that the prayer claimed by him is consistent with the prayer made in the O.A. and therefore, he prayed to allow the present M.A. He has submitted that the delay caused in filing the O.A. has been condoned and therefore, he prayed to allow the present M.A. for amendment in the O.A.

3. Learned Presenting Officer has prayed to pass necessary orders.

4. In the O.A., the applicant has prayed to direct the respondents to extend all financial benefits to him, as if he was promoted as Superintendent of Land Records on 11.03.1986 and as Deputy Director Land Records on 03.06.2006 by setting aside the punishment inflicted upon him by the order dated 17.11.2015.

//2//

M.A. 41/2018 in
O.A. 866/2018

The applicant has not specifically challenged the impugned order dated 17.11.2015 and therefore, he wants to amend the prayer clause of the O.A. accordingly. Therefore, in my view, the present M.A. requires to be allowed and no prejudice will be caused to the respondents in case of allowing the same.

5. Hence, the M.A. No. 41/2018 is allowed and the applicant is permitted to amend the O.A. The applicant is directed to carry out the necessary amendment in the O.A. forthwith. There shall be no order as to costs.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**O.A. No. 866/2018
(Shri Venkat M. Methe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that in prayer clause 18(B) the date of promotion has been mistakenly mentioned as "11.03.1986" instead of "06.03.1996" and therefore, he seeks leave of this Tribunal to amend the prayer Clause 18(B) suitably, as the said mistake is typographical mistake.

3. Leave as prayed for by the applicant is granted. The applicant shall carryout the necessary amendment forthwith.

4. After amendment, issue notices to the respondents, returnable on 21.02.2019.

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

6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that

the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

10. S.O. to 21.02.2019.

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

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 276 OF 2017
(Shri Prashant R. Bibrare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Shri P.H. Sukale, learned Advocate holding for Shri K.J. Suryawanshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, as a last chance, S.O. to 11.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 795 OF 2017
(Dr. Anil D. Pandhare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 13.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 494 OF 2018
(Shri Gangadhar L. Kamble & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 05.02.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**M.A. No. 278/2018 in O.A. St. No. 1289/2018
(Shri Pralhad D. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 12.02.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**M.A. No. 454/2018 in O.A. St. No. 1906/2018
(Shri Kiran S. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 06.02.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 14 OF 2019
(Shri Raosaheb D. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Smt. Savita N. Salunke, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 27 OF 2019
(Shri Raosaheb D. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Shri D.J. Patil, learned Advocate holding for Shri S.N. Suryawanshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant intends to file application for condonation of delay, as he is challenging the order dated 18.12.2017 and reliefs in that regard is barred by limitation. Therefore, he seeks time to file an application for condonation of delay.

3. Hence, time as prayed for by the applicant is granted. The present O.A. is removed from the board and it be kept after filing of the application for condonation of delay.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**M.A. No. 487/2018 in O.A. St. No. 1314/2018
(Smt. Urmila P. Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicants want to amend the O.A. by deleting the name of applicant No. 1 Smt. Urmila P. Thakur and therefore, he does not want to proceed with the present M.A.

3. Since the applicants do not want to proceed with the M.A. No. 487/2018, the same stands disposed of accordingly with no order as to costs.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**O.A. St. No. 1314/2018
(Smt. Urmila P. Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant No. 1 Smt. Urmila P. Thakur does not want to proceed with the O.A. and therefore, he seeks leave of this Tribunal to amend the O.A. suitably by deleting the name of the applicant Smt. Urmila P. Thakur in the O.A.

3. Leave as prayed for by the applicant is granted. The applicant shall carryout the necessary amendment in the O.A. forthwith.

4. S.O. to 06.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**O.A. St. No. 3058/2018
(Shri Chandrasen K. Bahure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. The applicant is seeking direction to the respondents to take decision regarding termination of his probation period and he is not getting pension because of the proposal pending with the respondents. The applicant is simply seeking the direction to the respondents to take decision on the proposal sent by the Government and therefore, in my view, the objection raised by the office is not sustainable. Hence, the same is overruled. The Registry is directed to register the O.A.

3. Upon registration, issue notices to the respondents, returnable on 22.02.2019.

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that

the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

9. S.O. to 22.02.2019.

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

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 116 OF 2017
(Dr. Dhanraj W. Kendre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Shri D.J. Patil, learned Advocate holding for Shri Subhash Swangikar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent No. 4.

3. It transpires from the proceedings that already ample opportunities were given to the respondent No. 4 for filing affidavit in reply, but no affidavit in reply was filed in time. On previous date i.e. on 19.12.2018, a most last chance was granted, but no affidavit in reply is filed by the respondent No. 4 till today. In view of this, in the interest of justices, time is granted to the respondent No. 4 for filing affidavit in reply subject to payment of costs of Rs. 5,000/- (Rs. Five Thousand Only). The amount of costs shall be deposited in the registry of this Tribunal.

4. S.O. to 13.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 99 OF 2018
(Shri Sanjay R. Patange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 13.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 155 OF 2018
(Shri Arjun D. Kharat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. Learned Chief Presenting Officer has placed on record a copy of the communication dated 28.12.2018. Same is taken on record and marked as document-'X' for the purposes of identification.

3. Pleadings are complete and hence, the present O.A. is admitted and it be kept for final hearing on 07.03.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 200 OF 2018
(Shri Dinkar G. Shahane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Shri H.K. Munde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 5. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 26.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 564 OF 2018
(Shri Subhash S. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. Learned Advocate Shri Shamsundar B. Patil, appeared and submits that he has received instructions from respondent Nos. 2 and 3 to appear on their behalf. He submits that VAKALATNAMA, as well as, affidavit in reply would be filed on the next date.

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

4. S.O. to 25.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 718 OF 2018
(Shri Balasaheb N. Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 25.02.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 764 OF 2018
(Shri Prashant B. Kachawa V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 29.01.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 781 OF 2018
(Shri Suryakant M. Garude & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Shri J.B. Choudhary, learned Advocate for the applicant (**Leave Note**). Shri V.R. Bhumkar, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer for the respondents, S.O. to 26.02.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION NO. 972 OF 2018
WITH**

**CAVEAT ST. NO. 3022/2018
(Smt. Sangita R. Jagtap V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate holding for Shri S.V. Munde, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3 and Shri A.S. Deshmukh, learned Advocate for respondent No. 4 (Caveator).

2. Learned Chief Presenting Officer has filed sur-rejoinder affidavit. Same is taken on record and the copy thereof has been served on the other side.

3.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**M.A. NO. 104/2018 in O.A. No. 625/2017
(Shri Jitendra B. Jaiswal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

Heard Shri S.K. Chavan, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 to 6 and Shri K.B. Jadhav, learned Advocate for respondent No. 7.

2. At the request of learned Presenting Officer for the respondents, S.O. to 18.02.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, as a last chance, S.O. to 29.01.2019 for compliance of the order dated 28.11.2018.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 25.02.2019.

MEMBER (J)

kpb ORAL ORDER 15.01.2019.

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

**ORIGINAL APPLICATION ST. NO. 2044/2018
(Shri Hanumantrao B. Bhongale 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 : 15.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to file misc. application for condonation of delay caused in filing the present O.A. In the circumstances, S.O. to 23.1.2019 for filing misc. application for condonation of delay.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 566/2018
(Shri Dinkar L. Jadhav 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 : 15.01.2019

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 12.2.2019 for filing affidavit in reply of the respondents in the present O.A.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 797/2018
(Shri Sudam K. Ukande 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 : 15.01.2019

ORAL ORDER :

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

2. At the request of learned C.P.O., S.O. to 21.2.2019 for filing affidavit in reply of the respondents in the present O.A.

MEMBER (A)

VICE CHAIRMAN

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

**C.P. 52/2018 IN O.A. 563/2016
(Shri Devidas K. Kardule 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 : 15.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned P.O. submits that writ petition filed by the respondent State before the Hon'ble High Court, against the order of this Tribunal dtd. 6.7.2017 in O.A. no. 563/2017, is pending, however, stay is not granted by the Hon'ble High Court in the said writ petition. In the circumstances, S.O. to 6.2.2019 either for implementation of the order of the Tribunal in O.A. no. 563/2017 or reporting further progress in the writ petition to find out as to whether any stay is granted by the Hon'ble High Court to the order of the Tribunal.

3. Learned Advocate for the applicant submits that already service proof of res. nos. 2 & 3 is filed in the present matter. Office to confirm from the record this statement of learned Advocate for the applicant.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 552/2018
(Shri Ramesh P. Zope 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 : 15.01.2019

ORAL ORDER :

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

2. Learned P.O. files on record affidavit in reply of res. nos. 1 to 4. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. Learned Advocate for the applicant submits that on some of respondents i.e. on res. nos. 5 to 12 notices could not be served.

4. In the circumstances, issue fresh notices to res. nos. 5 to 12, returnable on 21.2.2019.

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

6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper

book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

10. S.O. to 21.2.2019.

11. 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. 736/2017
(Shri Sanjay U. Kale 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 : 15.01.2019

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, 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. It is to be noted that more than necessary opportunities are granted to the applicant to search and file on record documentary evidence on the line of order dtd. 6.9.2018. In the circumstances, S.O. to 7.2.2019 for hearing. The documentary evidence, if any, on the line of order dtd. 7.2.2019, be filed on the next date. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 855/2017
(Shri Ganesh R. Rathod 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 : 15.01.2019

ORAL ORDER :

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

2. Upon hearing both the sides, the learned Advocate for the applicant seeks liberty to file written notes of arguments along with synopsis of case law. Liberty as prayed for is granted. The writ notes, if any, along with synopsis of case law be filed by 27.1.2019 and thereafter a suitable judgment would be delivered.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 100/2018
(Shri Ramrao T. Rathod 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 : 15.01.2019

ORAL ORDER :

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

2. Learned P.O. submits that sur-rejoinder would be filed during the course of day. It be accepted on record and copy thereof be supplied to the learned Advocate for the applicant.

3. Learned Advocate for the applicant seeks time to take some instructions from the applicant and also to file on record the relevant documents like seniority lists of the cadre of Jail Guards of the relevant years. In the circumstances, at the request of learned Advocate for the applicant, S.O. to 14.2.2019, for above compliance.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 670/2018
(Shri Kishan A. Falke & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri R.I. Wakade, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.2.2019 for filing rejoinder.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 666, 667 AND 668 ALL OF 2015
(Shri Madhukar B. Salunke & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants in all the cases and Shri S.K. Shirse, learned Presenting Officer for the respondents in all the cases.

2. Learned P.O. submits that corrected proposal is sent to the res. no. 2 the Accountant General - I, Mumbai on 27.8.2018 and decision of res. no. 2 on the said corrected proposal is awaited.

3. In the circumstances, the res. no. 2 – the Accountant General – II, Mumbai – is hereby directed to take a decision on the said corrected proposal within a period of 4 weeks and file report before the Tribunal in that regard on the next date. Accordingly, S.O. to 21.2.2019 for above compliance by the res. no. 2.

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

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 403/2018 IN C.P. 51/2018 IN O.A. 478/2018
(Shri (Dr.) Vijay Satbir Singh, Secretary, Public Health Department,
Mantralaya, Mumbai & Ors. V/s. Dr. Sudha V. Kulkarni)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri N.U. Yadav, learned Presenting Officer for the applicants in the misc. application / respondents in O.A. and Shri A.B. Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for respondent in the misc. application / applicant in O.A.

2. Learned P.O. submits that compliance of the order of the Tribunal in O.A. is made by the concerned respondents. He files on record copy of communication received to him from the concerned respondents in this regard and the same is taken on record and marked as document 'X' for the purpose of identification. In the circumstances, he submits that the present misc. application filed by the concerned respondent for recalling the order of the Tribunal dtd. 21.9.2018 in C.P. no. 51/2018 in O.A. no. 478/2014 has become infructuous.

3. Shri Rajkar, learned Advocate holding for Shri Joshi, learned Advocate for the applicant seeks time to

take instructions from the applicant on the above line.
At his request, S.O. to 5.2.2019 for making statement
by the learned Advocate for the applicant on the above
line.

MEMBER (A)

VICE CHAIRMAN

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

**C.P. 14/2018 IN O.A. 893/2011
(Shri Ramrao D. Misal V/s. State of Maharashtra & Ors.)
WITH
C.P. 15/2018 IN O.A. 892/2011
(Shri Baburao V. Sanap 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 : 15.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants in both the cases and Shri M.P. Gude, learned Presenting Officer for the respondents in both the cases.

2. Learned P.O. on instructions submits that the Finance Department has given its sanction to the proposal submitted by the Education Department reference of which is made in the order dtd. 2.11.2018. He further submits that the said proposal is now kept before the State Minister (Finance) for further approval. He seeks time to report further progress in the matter. At his request, S.O. to 1.2.2019 for reporting further progress by the learned P.O. on the above line.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 15-01-2019

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

**ORIGINAL APPLICATION NO. 32 OF 2019
(Shri Ashok D. Phadnis Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. Issue notice to 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. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be

obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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

8. S.O. to 14.02.2019.

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

MEMBER (A)
ORAL ORDERS 15.01.2019-hdd

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 26 OF 2019
(Shri Vinod S. Muley Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 21.02.2019.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be

obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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

8. Considering the fact that the present departmental enquiry is initiated after superannuation of the applicant for the incidents, which appears to have allegedly occurred beyond the period of 4 years, the same *prima facie* appears to be against the provisions of rule 27 of the Maharashtra Civil Services (Pension) Rules, 1982 and, therefore, interim relief in terms of prayer clause (a), which runs as under, is hereby granted.

“a) Pending hearing and final disposal of the original application, further proceedings in accordance with the communication dated 14.11.2018 may kindly be stayed.”

9. Interim relief in terms of prayer clause (b) shall be considered upon filing of the affidavit in reply by the concerned respondents

10. S.O. to 21.02.2019.

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

MEMBER (A)

ORAL ORDERS 15.01.2019-hdd

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 24 OF 2019
(Shri Ravindra A. Baviskar Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri H.V. Tungar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed a copy of the judgment delivered by the Hon'ble Punjab and Haryana High Court in the case of **OM PRAKASH VS. DIRECTOR POSTAL SERVICES (POSTS AND TELEGRAPHS) (CIVIL WRIT 2192 OF 1970)** reported in **LEX (P & AMP;H) 1971 124**. The authority however, would show that the employee therein has merely abetted for the offence and those circumstances it was held that though the employee was said to have abetted for theft i.e. offence punishable under Section 380 the concerned authorities ought to have taken into consideration these facts. In the fact of the present case the authority would not be applicable as the applicant is held a Principal offender for the offence punishable under Section 493 of the IPC.

3. Learned Advocate for the applicant however, seeks time for further elaborates the issue. At his

request, S.O. to 28.01.2019 for making further submissions on the above line.

MEMBER (A)

ORAL ORDERS 15.01.2019-hdd

VICE CHAIRMAN

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

**C.P.NO. 13/2018 IN O.A.NO. 633/2014
(Dr. Ashok R. Jadhav Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 3. Shri Santosh Pulkuntwar, learned Advocate for respondent Nos. 4 & 5 (**absent**).

2. Both sides submit that the writ petition is pending. In the circumstances, S.O. to 27.02.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 703 OF 2017
(Shri Vasant M. Gosavi Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Avinash Aghav, learned Advocate for respondent No. 3.

2. At the request of learned Advocate for the applicant, S.O. to 12.02.2019 for hearing.

MEMBER (A)
ORAL ORDERS 15.01.2019-hdd

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 874 OF 2018
(Shri Shashikant S. Yadav Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer, S.O. to 12.02.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 256 OF 2018
(Shri Avinash P. Chandra & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri G.M. Ghongade, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 25.02.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 12 OF 2018
(Shri Khandu T. Chavan Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 28.01.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**M.A.NO. 500/2018 IN O.A.ST.NO. 2040/2018
(Valu Waman Deshmuh & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Smt. S.R. Awad, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24.01.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 664 OF 2017
(Shri Shaikh Kalim Sk. Mannu Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed a copy of judgment delivered by Hon'ble Supreme Court in the case of **JAI BHAGWAN VS. COMMISSIONER OF POLICE AND OTHERS reported in (2013) 11 SCC 187** and the same is taken on record. His statement that the affidavit in rejoinder filed by the applicant may be treated as written notes of argument is accepted.

3. In the circumstances, reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 130 OF 2017
(Priyanka Appasaheb Dongre Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri S.K. Chavan, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for respondent No. 6.

2. At the request of learned Advocate for respondent No. 5, S.O. to 07.02.2019.

MEMBER (A)
ORAL ORDERS 15.01.2019-hdd

VICE CHAIRMAN

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. Learned Presenting Officer, on instructions of the officer, who is present today in the Tribunal viz. Shri Yogesh Desai, Dy. Inspector General of Prisons, Central Region, Aurangabad, submits that in fact no CD was prepared regarding examination in the year 2013 and merely shooting was made in the memory card through handycam and the said data from the memory card now cannot be opened though the said memory card was sent to the CYBER CRIME INVESTIGATION EXPERT, PUNE.

3. Learned Presenting Officer, therefore, seeks time for filing additional affidavit along with documents in this regard. At his request, S.O. to 06.02.2019.

4. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 646 OF 2016
(Shri Anil M. Kachre & Anr. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 3, Shri S.K. Chavan, learned Advocate holding for Shri S.R. Patil, learned Advocate for respondent Nos. 4, 5 & 8 and Shri S.S. Dambe, learned Advocate holding for Shri S.S. Panale, learned Advocate for respondent Nos. 7 to 9 and 12, 13, 15 & 16.

2. At the request of learned Advocate for respondent Nos. 4, 5 & 8, S.O. to 06.02.2019, as a last chance.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 689 OF 2015
(Dr. Shrikant B. Tambe Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Ms. Rebekah Daniel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4 and Shri V.B. Wagh, learned Advocate for respondent No. 6. None appears for respondent No. 5.

2. All the sides submit that written notes of arguments would be filed in the present case. The same may be filed on 23.01.2019. Thereupon, the necessary judgment would be delivered.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 245 OF 2015
(Shri Jagannath H. Mhaske Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Ms. Rebekah Daniel, 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. Learned Advocate for the applicant has filed written notes of arguments and the same is taken on record. Reserved for orders.

MEMBER (A)

ORAL ORDERS 15.01.2019-hdd

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 533 OF 2013
(Shri Shashikant N. Tidke Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent Nos. 4 to 10.

2. Learned Advocate for respondent Nos. 1 to 4 seeks time to file copy of the judgment, a reference of which is made in the order dated 15.12.2018. At his request, S.O. to 04.02.2019 for filing the copy of the judgment and also for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 439 OF 2013
(Shri Sakharam G. Choughule Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. Liberty to file written notes of arguments along with synopsis of case law is hereby granted. The same may be filed on 23.01.2019 and thereafter the necessary judgment would be delivered.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 736 OF 2012
(Shri Devidas R. Jadhav Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file affidavit in reply to the amended O.A. It is to be noted that the present O.A. is very old. In the circumstances, S.O. to 01.02.2019 for filing affidavit in reply to the amended O.A.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 30 OF 2019
(Smt. Vaishali V. Mhaske Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 06.02.2019.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be

obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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

8. The present case be kept along with O.A. No. 11/2019.

9. S.O. to 06.02.2019.

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

MEMBER (A)
ORAL ORDERS 15.01.2019-hdd

VICE CHAIRMAN

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

**M.A. 466/18 IN C.P.ST.167/18 IN O.A. 650/2007
(Shri Dadarao G. Gaikwad & Anr. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Shri V.B. Dhage, learned Advocate for the applicants (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer seeks time to file affidavit in reply to the application for condonation of delay.

3. From the record it appears that the order passed by this Tribunal dated 18.09.2015 passed in the O.A. is still remained to be complied with. In the circumstances, affidavit in reply, as well as, compliance report be filed on the next date.

4. S.O. to 05.02.2019 for compliance of the above order.

5. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 15.01.2019-hdd

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

**MISC. APPLICATION NO.450/2018
IN
ORIGINAL APPLICATION ST.NO.1887 /2018
(Sachin G. Shiradkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri Mahesh B. Bharaswadkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of the learned P.O. for the Respondents, adjourned to 13.2.2019.

MEMBER (J)

SAS ORAL ORDER 15-01-2019 bpp

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

**ORIGINAL APPLICATION NO.284 /2016
(Dr. Usha N. Bholane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Heard Shri K.A. Ingle, learned Advocate for the applicant and Smt. M.S. Panti, learned Presenting Officer for respondent Nos.1 to 4. Shri B.S. Deshmukh, learned Advocate for the Respondent No.5 is **absent**.

2. Learned P.O. for the Respondents has produced the copy of communication dated 14.01.2019 received from Deputy Director, Health Services, Nashik. The same is taken on record and copy thereof has been served on the applicant.

3. Learned P.O. for the Respondents seeks time in view of the communication dated 14.01.2019 received from Deputy Director, Nashik. Time as prayed for is granted.

4. At the request of the learned P.O. for the Respondents, adjourned to 20.02.2019.

MEMBER (J)

SAS ORAL ORDER 15-01-2019 bpp

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

**ORIGINAL APPLICATION NO.526 /2017
(Smt. Meghmala G. Pallewad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Shri Jayant B. Choudhary, learned Advocate for the applicant has filed a leave note. Heard Smt. M.S. Patni, learned Presenting Officer for respondents.

2. In view of the leave note of the Advocate for the applicant, adjourned to 25.2.2019.

MEMBER (J)

SAS ORAL ORDER 15-01-2019 bpp

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

MISC. APPLICATION NO.446/2018

IN

ORIGINAL APPLICATION NO.11 /2018

(Maroti S. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 15.01.2019

ORAL ORDER :

Shri B.A. Panchal, learned Advocate for the applicant **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Though the matter is fixed for passing dismissal order, none appeared for the applicant.

3. S.O. to 20.2.2019 as a last chance.

MEMBER (J)

SAS ORAL ORDER 15-01-2019 bpp