

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

**ORIGINAL APPLICATION NO.702/2017  
(Sachin Bachkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. Learned P.O. states as follows:

“(a) That the instructions are received along with copy of order sent by the District Home Guards Commandant and Additional Superintendent of Police, Ahmednagar informing that the applicant’s certificate has been validated.

(b) That Superintendent of Police, Ahmednagar would now cancel the communication impugned, viz. order dated 01-09-2017 (paper book page 97) and will continue the applicant in employment.”

3. Learned Advocate for the applicant states that in view of the submissions of the learned P.O., the Original Application has served its purpose.

4. We, therefore, dispose of the Original Application as its purpose is accomplished and as the applicants services stand protected.

5. Parties to bear their own costs.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO.832/2016  
(Vishal Gangawane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri Ajay Deshpande learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for the respondents and Shri Ashish Rajkar learned Advocate for respondent no.2.

2. Arguments of both sides are heard to certain extent. Case be treated as part heard.

3. Case is adjourned till Monday i.e. 25-02-2019 and it be kept at 3.00 pm. before our Division Bench in the chamber of Chairman.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO.272/2017**  
**(Dr. Vaishali P. Deshpande V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**  
**AND**  
**ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. Part heard. At the request of learned Chief Presenting Officer, S.O. to Monday i.e. 25-02-2019 and it be kept at 3.00 pm. before our Bench in Chairman's chamber.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO.440/2017  
(Vijay Gaikwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. Arguments of both sides are heard at length.

Case is reserved for order.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO.242/2018  
(Sayeeda Begum Syed Muhammad Ali  
V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Smt. U.T.Pathan learned Advocate holding  
for Shri T.W.Pathan learned Advocate for the applicant  
and Shri V.R.Bhumkar learned Presenting Officer for  
the respondents.

2. Case be removed from the board.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO.153/2019**  
**(Suresh Shivprasad Dixit V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**  
**AND**  
**ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. Arguments of both sides are heard to a certain extent. Case be treated as part heard.
3. S.O. to 25-02-2019.
4. Case to come up for hearing at 3.00 pm. on that day.

**MEMBER (A)**

**CHAIRMAN**

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

**Review Application No. 08/2017 in O.A. No. 498/2013  
(Shri Shivraj D. Hawanna 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)  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019.**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the  
applicant (**Leave Note**).

Heard Shri V.R. Bhumkar, learned Presenting  
Officer for respondents.

2. In view of leave note filed by learned Advocate for  
the applicant, S.O. to 01.04.2019.

**MEMBER (A)**

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.



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

**ORIGINAL APPLICATION NO. 154 OF 2019  
(Shri Indrabhan G. Mane 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. The applicant has challenged the order dated 16.02.2019, by which the respondent No. 5 has been transferred from Jalgaon to Ahmednagar on personal ground as per his request.

3. It is contention of the applicant that the respondents called for applications from the employees, who were due for transfer. The applicant has submitted his request application but his request has not been considered by the respondents. Hence, the request of the respondent No. 5 has been considered by the respondents and therefore, he has filed the present Original Application. Learned Advocate for the applicant has submitted that the applicant is aggrieved by the impugned transfer order, by which the respondent No. 5 has been transferred and therefore, the present O.A. is maintainable.

4. On perusal of the record, it reveals that the respondents have considered the request of the

employees, who were eligible for transfer as mentioned in the Circular and accordingly they have effected the transfer of respondent No. 5 and the request of the applicant has not been considered. The applicant is not aggrieved by the impugned order by which the respondent No. 5 has been transferred and therefore, the present O.A. is not maintainable in view of Section 19 of the Administrative Tribunals Act 1985. Hence, the same requires to be rejected.

5. In view of this, the O.A. stands rejected with no order as to costs.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 155 OF 2019  
(Shri Ganesh E. 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. The applicant has challenged the order dated 16.02.2019, by which the respondent No. 5 has been transferred from Satana to Nashik on personal ground as per his request.

3. It is contention of the applicant that the respondents called for applications from the employees, who were due for transfer. The applicant has submitted his request application but his request has not been considered by the respondents. Hence, the request of the respondent No. 5 has been considered by the respondents and therefore, he has filed the present Original Application. Learned Advocate for the applicant has submitted that the applicant is aggrieved by the impugned transfer order, by which the respondent No. 5 has been transferred and therefore, the present O.A. is maintainable.

4. On perusal of the record, it reveals that the respondents have considered the request of the

employees, who were eligible for transfer as mentioned in the Circular and accordingly they have effected the transfer of respondent No. 5 and the request of the applicant has not been considered. The applicant is not aggrieved by the impugned order by which the respondent No. 5 has been transferred and therefore, the present O.A. is not maintainable in view of Section 19 of the Administrative Tribunals Act 1985. Hence, the same requires to be rejected.

5. In view of this, the O.A. stands rejected with no order as to costs.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 28 OF 2019  
(Shri Suresh G. Sadavarte 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 15.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**M.A. No. 363/2018 in O.A. St. No. 1019/2018  
(Shri Bhagwan D. 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 12.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 77 OF 2018  
(Shri Manohar A. 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 : 22.02.2019.**

**ORAL ORDER :**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 11.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 151 OF 2018  
(Shri Rajendra G. 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 05.04.2019 for filing rejoinder affidavit.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.



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

**ORIGINAL APPLICATION NO. 300 OF 2018  
(Dr. Mrs. Suresha N. Lakhkar 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 : 22.02.2019.**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 3 and Shri A.B. Shinde, learned Advocate for respondent Nos. 4 and 5.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.

3. S.O. to 08.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 59 OF 2018  
(Shri Umesh C. Parate 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 : 22.02.2019.**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant (**Leave Note**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 03.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 526 OF 2017  
(Smt. Meghmala G. Pallewad 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. On instructions, learned Advocate for the applicant has submitted that the applicant does not want to proceed with the present Original Application and wants to withdraw the same. He has also placed on record a copy of communication dated 01.02.2019 received from the applicant in that regard. Same is taken on record and marked as document 'X' for the purposes of identification.

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

4. Since the applicant does not want to proceed with the present O.A. and wants to withdraw the same, leave as prayed for by the applicant is granted. The O.A. is disposed of as withdrawn with no order as to costs.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 856 OF 2018  
(Smt. Shilpa D. Pawar @ Shilpa V. Ghobale 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 : 22.02.2019.**

**ORAL ORDER :**

Shri G.V. Ghuge, learned Advocate for the applicant (**Absent**).

Heard Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. As none present for the applicant, S.O. to 18.03.2019 for passing necessary orders.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 37 OF 2019  
(Shri Chandrasen K. Bahure 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of all the respondents. Therefore, there is no need to wait for service affidavit of respondent No. 4.

3. At his request, S.O. to 29.03.2019 for filing affidavit in reply on behalf of respondents.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**M.A. St. No. 151/2019 in O.A. St. No. 152/2019  
(Shri Venkat V. Namule & 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer for he respondents, S.O. to 01.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION ST. NO. 166 OF 2019  
(Shri Prasad B. 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. By filing the present Original Application, the applicant is seeking revision of pay scale and pension. The subject matter is assigned to the Division Bench and therefore it is just and proper to place the present matter before the Division Bench.

3. Hence, the present matter is removed from the board and the Registry of this Tribunal is directed to place the present matter before the Division Bench.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 918 OF 2017  
(Shri Shaikh Sadik Shaikh Kasim 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 : 22.02.2019.**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri V.D. Patnoorkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 11.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.



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

**ORIGINAL APPLICATION NO. 876 OF 2018  
(Shri Bhaskar M. Koli 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. Learned Chief Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 12.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 141 OF 2019  
(Dr. Pandharinath S. Gawali & 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 : 22.02.2019.**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 03.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 558 OF 2018  
(Shri Ganesh D. Deshpande 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 11.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**M.A. No. 434/2018 in O.A. St. No. 1676/2018  
(Smt. Nargis T. Shaikh 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 : 22.02.2019.**

**ORAL ORDER :**

Shri V.G. Salgare, learned Advocate for the applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record.

3. S.O. to 12.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**M.A. No. 435/2018 in O.A. St. No. 1678/2018  
(Smt. Syeda N. Nayeem 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 : 22.02.2019.**

**ORAL ORDER :**

Shri V.G. Salgare, learned Advocate for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record.

3. S.O. to 12.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**M.A. No. 436/2018 in O.A. St. No. 1680/2018  
(Smt. Siddiqui L. Anees 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 : 22.02.2019.**

**ORAL ORDER :**

Shri V.G. Salgare, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record.

3. S.O. to 12.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**M.A. No. 437/2018 in O.A. St. No. 1682/2018  
(Shri Sk. Abdul Mohd. Abdul Karim 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 : 22.02.2019.**

**ORAL ORDER :**

Shri V.G. Salgare, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record.

3. S.O. to 12.04.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**M.A. No. 460/2018 in O.A. St. No. 1934/2018  
(Shri Sanjay R. Koli 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted.

3. S.O. to 12.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.



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

**ORIGINAL APPLICATION NO. 262 OF 2018  
(Dr. Sanjiv K. Munde 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. The applicant has challenged the order of re-fixation of his pay made by the Civil Surgeon, Civil Hospital, Parbhani by the order dated 20.02.2018 and also the order dated 20.04.2018 directing recovery against him by filing the present Original Application. So far as the prayer of the applicant challenging the re-fixation of pay scale is subject matter assigned to the Division Bench and therefore, it is just and proper to place the present matter before the Division Bench.

3. Hence, the present matter is removed from the board and the Registry is directed to take appropriate steps for placing the same before the appropriate Bench.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 266 OF 2018  
(Dr. Sandeep J. Kala 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. The applicant has challenged the order of re-fixation of his pay made by the Civil Surgeon, Civil Hospital, Parbhani by the order dated 20.01.2018 and also the order dated 18.04.2018 directing recovery against him by filing the present Original Application. So far as the prayer of the applicant challenging the re-fixation of pay scale is subject matter assigned to the Division Bench and therefore, it is just and proper to place the present matter before the Division Bench.

3. Hence, the present matter is removed from the board and the Registry is directed to take appropriate steps for placing the same before the appropriate Bench.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 600 OF 2017  
(Smt. 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has paced on record a copy of communication dated 21.02.2019 received to his office from Office Superintendent, Commissioner of Police Aurangabad City along with chart. Same are taken on record and marked as document 'X' collectively for the purposes of identification.

3. At the request of learned Advocate for the applicant, S.O. to 15.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 923 OF 2017  
(Shri Nayeem A. Siddiqui 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 : 22.02.2019.**

**ORAL ORDER :**

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 to 3. Shir R.R. Chandak, learned Advocate for respondent No. 4, **absent**.

2. Learned Advocate for the applicant seeks time to produce on record relevant G.R. Time granted.

3. S.O. to 20.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NOS. 611, 652 & 679 ALL OF 2019  
(Smt. Pramila V. Hanumante & 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 : 22.02.2019.**

**ORAL ORDER :**

Heard Shri P.V. Suryawanshi, learned Advocate for the applicants in all these O.As. and Smt. M.S. Patni & Smt. Sanjivani K. Dehsmukh-Ghate, learned Presenting Officer for respective respondents in respective O.As.

2. Learned Presenting office has filed affidavit in reply on behalf of respondent Nos. 1, 3 & 5 in O.A. No. 679/2018. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant has placed on record a copy of order dated 15.3.2018 passed in W.P. No. 2800/2018 in case of The State of Maharashtra and Ors. Vs. Bansilal H. Tarte & Ors.. Same is taken on record and marked as document 'X' for the purposes of identification.

4. At the request and by consent of both the parties, S.O. to 26.03.2019.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 441 OF 2018  
(Shri Manik B. Chavan 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 : 22.02.2019.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 Shri Vaijinath Kondiba Khandke, Deputy Director of Education, Aurangabad to the show cause notice dated 13.02.2019 and he is also present before this Tribunal. Same is taken on record and copy thereof has been served on the other side. Shri Vaijinath Kondiba Khandke, Deputy Director of Education, Aurangabad, tendered unconditional apology for the production of documents, which has been produced by him inadvertently. His unconditional apology is accepted and show cause notice issued against him is dropped.

3. Learned Presenting Officer has submitted that during the pendency of the present Original Application, the respondent No. 2 the Commissioner of Educaiton, Pune forwarded the proposal sent by the respondent No. 3 for retention of the applicant at the present posting as per his request to the respondent

No. 1 and the said proposal is under consideration. He has produced the copy of the proposal forwarded by the respondent No. 2 to the respondent No. 1 dated 24.06.2018. Same is taken on record and marked as document-'X' for the purposes of identification. Learned Presenting Officer on instructions from Shri Mane, Desk Office, Education Department, Mumbai has submitted that the respondent No. 1 is going to decide the proposal forwarded by the respondent No. 2 on merit within a period of 15 days.

4. Learned Advocate for the applicant has submitted that since the respondent No. 1 is going to take decision on the proposal forwarded by the respondent No. 2 within a period of 15 days, the applicant does not want to proceed with the O.A. and therefore, he prayed to dispose of the same accordingly.

5. In view of the submissions made by learned Advocate for the applicant and learned Presenting Officer, the O.A. is disposed of with a direction to the respondent No. 1 to take appropriate decision on the proposal forwarded by the respondent No. 2 on 24.06.2018 regarding retention of the applicant at his present place of posting on merit and communicate the decision therein to the applicant in writing. There shall be no order as to costs.

**MEMBER (J)**

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

**M.A. No. 131/2018 in O.A. No. 891/2016  
(Shri Anil P. Salve 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 : 22.02.2019.**

**ORAL ORDER :**

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. By filing the present Misc. Application, the applicant wants to amend the pleadings in the O.A. No. 891/2016 on the ground that he wants to narrate some pleadings and rule regarding promotion of Jailor, Group-II. It is contention of the applicant that the said pleadings are material and therefore, he prayed to allow the present Misc. Application.

3. Learned Advocate for the applicant has submitted that the post of Jailor, Group-II has not been filled up since the year 2003 and this fact remained to be pleaded in the O.A. Likewise, the rules for promotion to the post of Jailor Group-II remained to be pleaded in the O.A. and therefore, she prayed to allow the present M.A. and to grant permission to the applicant to amend the O.A.

4. Learned Presenting Office has submitted that the applicant has already pleaded facts in the O.A. as



prayed in the present M.A. Now he wants to amend the pleadings by adding provisions of rules regarding promotion of Jailor Group-II. She has submitted that there is no need to amend the O.A. for that purpose and therefore, she prayed to reject the M.A.

5. I have gone through the pleadings of the applicant in O.A. The applicant came with a case that he became eligible to be appointed on the post of Jailor, Group-II since 31.12.2010 and therefore he filed O.A. and prayed to direct the respondents to grant deemed date of promotion from that date. Already applicant has pleaded specifically about his claim in the O.A. and therefore, the proposed amendment is not relevant and material. Therefore, there is no need to amend the O.A. The proposed amendment is not material and relevant. Therefore, the same cannot be allowed. Hence, the present M.A. deserves to be rejected.

6. In view of this, the M.A. No. 131/2018 is rejected. There shall be no order as to costs.

**MEMBER (J)**

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

**O.A. No. 891/2016  
(Shri Anil P. Salve 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 : 22.02.2019.**

**ORAL ORDER :**

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. S.O. to 12.04.2019 for hearing.

**MEMBER (J)**

kpb ORAL ORDER 22.02.2019.

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

**ORIGINAL APPLICATION NO. 142/2019  
(Shri Dulbaj B. Ghatmal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. Issue notice to respondents, returnable on 30.4.2019.

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 30.4.2019.

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

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 685/2015  
(Shri Rahul B. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 22.02.2019**

**ORAL ORDER :**

Shri R.P. Adgaonkar, learned Advocate for the applicants (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. It appears from the record that the present case was on board on 16.10.2018 and then on 21.12.2018. On both these dates the learned Advocate for the applicants had sought adjournment on the ground that he wants to produce on record copy of judgment, which governs the prayers contained in the present case.

3. On 28.1.2019 learned Advocate for the applicants was absent. On 21.2.2019 also he remained absent. Today also none appears for the applicants.

4. In the circumstances, the present Original Application is dismissed in default for want of prosecution. There shall be no order as to costs.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 540/2016**  
**(Shri Raghunandan D. Sapkale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned Advocate  
for the applicant and Smt. Sanjivani Deshmukh Ghate,  
learned Presenting Officer for the respondents.

2. Arguments of both the sides are heard at length.  
Hence the case is reserved for orders.

**MEMBER (A)**

**CHAIRMAN**

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

**C.P. 71/2018 IN O.A. 59/2014  
(Shri Mangala D. Lasurkar (Died) LRs. Purushottam E. Joshi V/s.  
State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. Learned Presenting Officer points out that the order of the Tribunal dtd. 10.10.2016 passed in O.A. no. 59/2014 is complied with by the respondents.

3. Learned P.O. submits that as regards clause no. 3 of the order of the Tribunal regarding payment of interest, the respondent no. 5 answered the said clause in para no. 7 of its affidavit in reply, which reads as under :-

*“7. I humbly say and submit that, in the present matter applicant is making wrong interpretation of the order passed in O.A. No. 59/2014 with 435/2014 that the Hon’ble Tribunal specifically directed to the respondents to pay interest as may be admissible under Maharashtra Civil Services (Pension) Rules 1982. The applicant retired from service on 31.12.2011 and after order of this Hon’ble Tribunal dated 10.10.2016 the departmental enquiry against the applicant was stopped. In this regard as per the Government*

*Resolution dated 6<sup>th</sup> May, 1991 Para 2 (i) (a) wherein it is clearly mentioned that, "in case of government servant is exonerated of all charges and where the gratuity is paid on the conclusion of such proceedings, the payment of gratuity will be deemed to have fallen due on the date following the date of retirement."*

(quoted para 7 of reply of res.  
no. 5 paper book page 43)

4. Learned Advocate for the applicant has disputed the above proposition. Now the question as to whether the interest is payable or not is in dispute. In our view, it is a fresh cause of action for the applicant.

5. In the circumstances, the present contempt petition is disposed of without any order as to costs.

**MEMBER (A)**

**CHAIRMAN**



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

**ORIGINAL APPLICATION NO. 518/2018**  
**(Shri Narendrakumar G. Dikshit V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri Farooqui Kamaluddin N., learned Advocate holding for Shri N.L. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Arguments of both the sides are heard at length. Hence the case is reserved for orders.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 402/2018  
(Shri Bhagwan N. Bodke V/s. State of Maharashtra & Ors.)  
WITH  
ORIGINAL APPLICATION NO. 427/2018  
(Shri Sadashiv B. Nagarsale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri D.T. Devane, learned Advocate for the applicant in O.A. no. 402/2018, Shri M.P. Tripathi, learned Advocate for the applicants in O.A. no. 427/2018 (**leave note**) and Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 to 3 in O.A. no. 402/2018 and for respondent nos. 1 to 5 & 7 in O.A. no. 427/2017. Shri A.A. Taksale, learned Advocate for respondent no. 4 in O.A. no. 402/2018 and Shri S.P. Sonpawe, learned Advocate for respondent no. 6 in O.A. no. 427/2018 (**absent**).

2. In view of leave note of Shri Tripathi, learned Advocate for the applicants in O.A. no. 427/2018, both the cases to come up on board on 6.3.2019.

**MEMBER (A)**

**CHAIRMAN**

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

**M.A. 110/2017 IN O.A. 265/2018  
(Dr. Archana d/o Kartikrao Teltumbde @ Archana w/o Aniolkumar  
Wahurwagh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri Gajanan Kadam, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1, 2 & 4, Shri Shamsunder B. Patil, learned Advocate for respondent no. 3 and Ms. Rebekah Daniel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 5.

2. Arguments of both the sides are heard at length. Hence the case is reserved for orders.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 572/2013  
(Smt. Vijaya B. Malave V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. With the consent of both the sides, S.O. to 25.2.2019 at 3.00 p.m.

**MEMBER (A)**

**CHAIRMAN**

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

T.A. 11/1999 (W.P. 3251/1993)  
T.A. 12/1999 (W.P. 653/1994)  
T.A. 19/1999 (W.P. 2311/1994)  
T.A. 26/1999 (W.P. 2772/1993)  
T.A. 47/1999 (W.P. 776/1993)  
T.A. 07/1999 (W.P. 3765/1997)  
T.A. 06/2006 (W.P. 4261/1995)  
T.A. 36/2002 (W.P. 3007/1991)  
M.A. 311/2008 in T.A. 42/1999 (W.P. 1274/1991)  
T.A. 01/2005 (W.P. 812/1993)  
T.A. 17/1999 (W.P. 2791/1994)  
T.A. 35/1998 (W.P. 296/1998)  
M.A. 312/2008 in T.A. 35/1999 (W.P. 1259/1991)  
T.A. 22/1999 (W.P. 3344/1997)  
T.A. 27/1999 (W.P. 3871/1995)  
M.A. 367/2008 in T.A. 25/1999 (W.P. 3569/1993)  
M.A. 309/2008 in T.A. 24/1999 (W.P. 3607/1993)  
M.A. 306/2008 in T.A. 36/1999 (W.P. 652/1994)  
T.A. 28/1999 (W.P. 1253/1991)  
T.A. 30/1999 (W.P. 617/1994)  
T.A. 33/1999 (W.P. 3796/1997)  
T.A. 34/1999 (W.P. 3620/1997)  
T.A. 37/1999 (W.P. 1382/1994)  
T.A. 14/1999 (W.P. 3770/1997)  
T.A. 16/1999 (W.P. 1226/1991)  
T.A. 09/1999 (W.P. 3345/1997)  
T.A. 08/1999 (W.P. 1364/1992)  
T.A. 13/1999 (W.P. 777/1995)  
T.A. 10/1999 (W.P. 5254/1995)  
T.A. 20/1999 (W.P. 882/1991)  
T.A. 38/1999 (W.P. 329/1992)

**(Marathwada Serva Shramik Sanghatana through its Joint Secretary M.S.  
Sonwane & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri A.S. Shelke, learned Advocate holding  
for Shri S.K. Shelke, learned Advocate for the

applicants in respective matters. Shri S.R. Barlinge, Shri Subhash Mundhe and Shri B.N. Patil, learned Advocates for the applicants in respective matters (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these matters, present. Shri B.B. Yenge, learned Advocate for respondent No. 2/ 2 & 3 in all these matters (**absent**).

2. At the request of learned Advocate for the applicants, S.O. to 25.2.2019 at 3.00 p.m.

**MEMBER (A)**

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 925 OF 2018**  
**(Shri Kisan D. Pawar & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri Abhishek C. Deshpande, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer prays for time for filing affidavit in reply. Time granted.

3. S.O. to 15.04.2019.

**MEMBER (A)**

**CHAIRMAN**

ORAL ORDERS 22.02.2019-HDD

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

**O.A.NOS. 15 & 16 BOTH OF 2019  
(Shri Vikram R. Deshmukh Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Shri Mahesh S. Taur, learned Advocate for the applicants in both these cases (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in both these cases, present.

2. It reveals from the proceedings that on the last two occasions i.e. on 20.02.2019 & 21.02.2019 nobody appeared for the applicants. Today when the present cases were called nobody appeared for the applicants.

3. Learned Presenting Officer states that ex-parte interim relief is in operation in favour of the applicants and neither the learned Advocate nor applicants are present.

4. In view of the consistent absence of the learned Advocate for the applicants, as well as, of the applicants, the present OAs are dismissed for want of prosecution. All interim orders passed in these OAs stand vacated.

**MEMBER (A)**  
ORAL ORDERS 22.02.2019-HDD

**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.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**  
**AND**  
**ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Smt. Supriya Bhillegaonkar, learned Advocate holding for Shri M.B. Bharaswadkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It is seen that this Tribunal had issued order of notice, returnable on 21.02.2019, and also granted ad interim stay of impugned communication / charge-sheet dated 14.11.2018.

3. This case was on yesterday's board and learned Chief Presenting Officer sought time.

4. Learned Chief Presenting Officer was called to take instructions as to how and under what authority of law the pension payment order once issued, can be stayed.

5. Today, the learned Chief Presenting Officer states that he has communicated and contacted with respondent No. 4 and no instructions relating to reply to the O.A. are received. However, respondent No. 4

**O.A. NO. 26 OF 2019**

maintains that in view of the disciplinary proceedings, which are commenced applicant's pension cannot be released.

6. In so far reply to the O.A. is concerned, learned C.P.O. states that para-wise remarks are not received. The record shows that the notice issued by this Tribunal on 15.01.2019 is duly served on all the respondents on different dates and in particular on respondent No. 4 on 18.01.2019. Though more than one month's time was available for disposal of the respondent No. 4, para-wise remarks are not sent to the office of C.P.O. nor reply is tendered.

7. Learned Chief Presenting Officer called to furnish the name of the officer holding the post of the respondent No. 4. Accordingly, the learned C.P.O. has furnished the name of respondent No. 4 as under: -

Dr. Aakash Ashokrao Deshmukh,  
District Malaria Officer, Nanded

8. Dr. Deshmukh, District Malaria Officer, is called to show as to why he should not be personally saddled with the costs of Rs. 25,000/- for failure / to contact and to give instructions to the learned C.P.O. for filing affidavit in reply.

9. He is also called to show cause under what authority of law he is entitled to stop payment of pension of the applicant.

10. Affidavit in reply answering show cause as to para Nos. 8 & 9 be filed on 7<sup>th</sup> March, 2019.

11. Learned C.P.O. is directed to communicate this order to the respondent No. 4.

12. Steno copy and hamdust is allowed to both the parties.

**MEMBER (A)**

**CHAIRMAN**

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

**M.A.NO. 78/2019 IN O.A.NO. 732/2018  
(Shri Subhash B. Pardhe & Anr. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. This is an application filed by the applicants for joining them in the O.A. No. 732/2018 as co-applicants.

3. In view of concurrence of the cause, the present M.A. is allowed and disposed of without any order as to costs. The learned Advocate for the applicants shall carry out the necessary amendment in the O.A.

**MEMBER (A)**

**CHAIRMAN**

ORAL ORDERS 22.02.2019-HDD

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

**O.A.NOS. 535 & 575 BOTH OF 2013**  
**(Smt. Shubhangi A. Shejul & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri S.S. Jadhavar, learned Advocate for the applicants in both these cases and Shri N.U. Yadav, learned Presenting Officer for the respondents in both these cases.

2. At the request of learned Advocate for the applicants, S.O. to 07.03.2019.

**MEMBER (A)**

**CHAIRMAN**

ORAL ORDERS 22.02.2019-HDD

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

**ORIGINAL APPLICATION NO. 168 OF 2017**  
**(Shri Annarao V. Hivrane Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 06.03.2019.

**MEMBER (A)**

**CHAIRMAN**

ORAL ORDERS 22.02.2019-HDD

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

**ORIGINAL APPLICATION NO. 556 OF 2014**  
**(Shri Sanjay R. Patange Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**  
**AND**  
**ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

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

2. Leaned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Presenting Officer submits that the matter will be examined open mindedly and prays for adjournment. Adjournment is granted.

4. S.O. to 06.03.2019.

**MEMBER (A)**

**CHAIRMAN**

ORAL ORDERS 22.02.2019-HDD

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

**ORIGINAL APPLICATION NO. 530 OF 2018  
(Shri Atul S. Ghodke Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri N.R. Thorat, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Respondent No. 4, the Collector Beed is directed as follows: -

“(i) He shall call for entire paper book and relevant papers of the present O.A. and read those himself.

(ii) He shall ensure that he reads not only O.A. but also the affidavit filed by the Deputy Collector (G.A.D.), Shri Sunil S/o. Kashinath Bhutale, as well as, affidavit filed by the Sushama Manoranjan Banik, Deputy Director of Health, Akola, on or around 5<sup>th</sup> September, 2019.

(iii) After reading this affidavit he shall form opinion as to whether it is necessary to respond to the query raised by the Deputy Director, Health Service, Akola, asking re-verification and report



**O.A. NO. 530 OF 2018**

about the genuineness of the certificate as Project Affected Persons relied upon by the present applicant Shri Atul S/o. Shivajirao Ghodke, a copy whereof is on record of O.A. at page-17, and as to whether the applicant is entitled to claim the benefit as a P.A.P. being real brother of Shri Ashok Shivajirao Ghodke.

3. Affidavit of compliance and action which he proposes be filed within a period of 10 days from today.
4. However, filing of affidavit shall not be necessary if the query by the respondent No. 6 made to the Collectorate, Beed is replied before the next date.
5. This O.A. be treated as part heard, and be listed before this bench on 06.03.2019.
6. Learned Presenting Officer is directed to communicate this order to all the respondents.
7. Steno copy and hamdust is allowed to both the parties.

**MEMBER (A)**

**CHAIRMAN**

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

**C.P.St.1066/2018 IN O.A.NO. 380/2017 WITH M.A.NO. 388/2018 IN  
O.A.NO. 792/2015**

**(Dr. Prasad V. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 22.02.2019**

**ORAL ORDER :**

Heard Shri Vishnu Dhoble, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents and Ms. Preeti Wankhade, learned Advocate for applicants (intervenors) in M.A. No. 388/2018 in O.A. No. 792/2015.

2. At the request and by consent of both the parties, S.O. to 26.02.2019 at 3.00 p.m.
3. The present case be treated as part heard.

**MEMBER (A)**

**CHAIRMAN**

ORAL ORDERS 22.02.2019-HDD