

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

**C.P.ST.NO. 1961/2017 IN O.A.NO. 57/2016
(Shri Ravindra D. Thakur Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that the main issue of terminating services of the present applicant is pending before the Hon'ble Bombay High Court (Principal Seat) and some interim relief is also granted against the termination. The issue of promotion would be consequential to the same. In the circumstances, S.O. to 25.03.2019 for reporting further progress in the Writ Petition No. 13143/2018 filed before the Principal Seat at Bombay of Hon'ble High Court.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

ORIGINAL APPLICATION NO. 906 OF 2018
(Shri Chetan S. Ahire Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 15.02.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 860 OF 2018
(Shri Chotu S. Chaudhari Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply. It is to be noted that the applicant is seeking directions to take decision regarding condonation of technical break. Time is granted to the respondents with a caveat that in case no affidavit in reply is filed on the next date, case would be heard.

3. S.O. to 15.02.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 834 OF 2018
(Smt. Jamila Nasir Shah Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

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

2. Learned Presenting Officer has filed a copy of order dated 17.01.2019 received to him from the concerned respondent.

3. Learned Advocate for the applicant submits that the aforesaid order apparently satisfies the applicant, however, some of her grievances are not redressed to. In the circumstances, liberty to amend the present O.A. is hereby granted. S.O. to 14.02.2019 for taking necessary steps, if any.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-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 : 23.01.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 05.02.2019 for filing written notes of arguments.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**T.A. 5/2018 (W.P.NO. 9261/2018
(Shri Pravin C. Janjal Vs. State of Maharashtra & Ors.)**

AND

**T.A. 6/2018 (W.P.NO. 9314/2018
(Shri Prasanna R. Raut & 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 : 23.01.2019

ORAL ORDER :

Heard Shri A.G. Deshmukh, learned Advocate holding for S/Shri N.S. Kadarale & Abhay R. Rathod, learned Advocates for the respective applicants in respective cases and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in both these cases.

2. Learned Presenting Officer seeks time. Learned Advocate for the applicants also seeks time. At their common request, S.O. to 14.02.2019 for taking instructions by the learned Presenting Officer on the line of the order passed by this Tribunal dated 12.12.2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**O.A.NOS. 368 & 369 BOTH OF 2017
(Shri Babu R. Lad & 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 : 23.01.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicants, S.O. to 14.02.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 422 OF 2018
(Dr. Raghuvir V. Bhosale 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 : 23.01.2019

ORAL ORDER :

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

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 703 OF 2018
(Dr. Prithviraj K. 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 : 23.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed short affidavit and the same is taken on record and the copy thereof has been served on the learned Presenting Officer.

3. On the earlier date i.e. on 16.10.2018 Learned Presenting Officer had filed a copy of decision dated 12.10.2018 with a copy to the learned Advocate for the applicant.

4. Learned Advocate for the applicant seeks permission of this Tribunal to amend the present O.A. Permission to amend the O.A. is hereby granted.

5. In the circumstances, S.O. to 15.02.2019 for taking necessary steps by the applicant.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 771 OF 2018
(Shri Shrihari D. Ghogare 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 : 23.01.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 27.02.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 638 OF 2018
(Shri Rajkumar D. Barwal 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 : 23.01.2019

ORAL ORDER :

Heard Shri B.A. Rathod, learned Advocate holding for Shri B.V. Thombre, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 27.02.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**C.P.NO. 46/2018 IN O.A.NO. 207/2015
(Balika D. Tawshikar 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 : 23.01.2019

ORAL ORDER :

Heard Shri Taushikar, learned Advocate holding for Shri Shaikh Mazhar A. Jahagirdar, 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 01.02.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 49 OF 2019
(Shri Rameshwar Jija Kakde 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 : 23.01.2019

ORAL ORDER :

Heard Shri Anant Deokate, learned Advocate holding for Shri Sudhir Telgote, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 25.01.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 50 OF 2019
(Shri Ambadas P. Deshpande 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 : 23.01.2019

ORAL ORDER :

Heard Shri Anant Deokate, learned Advocate holding for Shri Sudhir Telgote, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 25.01.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 51 OF 2019
(Shri Parmeshwar G. Sangle 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 : 23.01.2019

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 07.03.2019.

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

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

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

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

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

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

8. S.O. to 07.03.2019.

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

MEMBER (A)

VICE CHAIRMAN

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

**M.A.ST.124/2019 IN O.A.NO. 47/2019
(Shri Balraj Shivraj Lanjile Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Smt. Lata Patne, learned Advocate holding for Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed affidavit in support of Misc. Application for condonation of delay and the same is taken on record and the copy thereof has been served on the learned Presenting Officer.

3. Upon satisfying with the other objection/s, the present M.A. be registered and notices be issued in the present M.A., returnable on 13.02.2019, subject to issue of maintainability of the O.A. itself.

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

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

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

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (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 13.02.2019.

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

MEMBER (A)

VICE CHAIRMAN

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for taking instructions on the line of the order passed by this Tribunal dated 14.01.2019. At her request, S.O. to 07.02.2019 for taking instructions on the line of the order dated 14.01.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**O.A.NOS. 675 & 619 BOTH OF 2018
(Shri Vilas R. Deshmukh & Anr. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Shri M.M. Bhokariker, learned Advocate for the applicant in O.A. No. 675/2018 has filed leave note.

Heard Shri S.L. Bhapkar, learned Advocate for the applicant in O.A. No. 619/2018 and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in both these cases.

2. At the request of learned Presenting Officer, S.O. to 25.01.2019 for taking instructions from the concerned respondents regarding corrective steps.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 23.01.2019-hdd

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

**O.A.NOS. 248, 251 & 230 ALL OF 2018
(Shri Shripad C. Vaidya & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri Abhay G. Deshmukh, learned Advocate for himself and holding for Shri Pavan P. Uttawar, learned Advocate for the applicants in O.A. Nos. 248 & 251 both of 2018, Ms. Preeti Wankhade, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant in O.A. No. 230/2018 for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases.

2. Learned Presenting Officer submits that the similar matter is already decided by the Principal Seat of this Tribunal at Mumbai. At her request, S.O. to 12.02.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL

ORDERS

23.01.2019-hdd

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

**ORIGINAL APPLICATION No.584/2017
(Mohammad Abdul Sami. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

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

2. Learned P.O. for the Respondents seeks time to file additional affidavit -in-reply.
3. Time as prayed for is granted.
4. S.O. to 15.2.2019.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

MISC. APPLICATION NO.17/2019

IN

ORIGINAL APPLICATION St.No.55 /2019

(Natharao R. Dodade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri Mahesh B. Bharaswadkar, learned Advocate for the Applicant and Smt. Priya R. Bharaswakar, learned Presenting Officer for respondents.

2. Issue notice returnable on 8-03-2019.

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

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

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

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

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

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

8. S.O. to 8.03.2019.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

**MISC. APPLICATION NO.18/2019
IN
ORIGINAL APPLICATION St.No.57 /2019
(Ankush L. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri Mahesh B. Bharaswadkar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. Issue notice returnable on 8-03-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

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

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

8. S.O. to 8.03.2019.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

**MISC. APPLICATION NO.19/2019
IN
ORIGINAL APPLICATION St.No.59/2019
(Mohan F. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri Mahesh B. Bharaswadkar, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Issue notice returnable on 8-03-2019.

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

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

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

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

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

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

8. S.O. to 8.03.2019.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

MISC. APPLICATION NO.20/2019

IN

ORIGINAL APPLICATION St.No.61/2019

(Mubasaroddin S. Siddiqui V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri Mahesh B. Bharaswadkar, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Issue notice returnable on 8-03-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

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

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

8. S.O. to 8.03.2019.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

ORIGINAL APPLICATION No.432/2018
(Ajabrao R. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri Anant D. Sugdare, learned Advocate for the Applicant, Shri N.U. Yadav, learned Presenting Officer for respondent No.1& 4 and Shri Suresh D. Dhongde, the learned Advocate for the Respondent Nos.2 & 3.

2. Learned P.O. for the Respondent Nos.1 & 4 seeks time for compliance of order dated 1.12.2018 and to file compliance report also.

3. S.O. to 18.2.2019.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

ORIGINAL APPLICATION No.623/2018
(Baban N. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the Applicant and Smt. Smt. Priya R. Bharaswakar, learned Presenting Officer for respondents.

2. By consent adjourned to 28.1.2019.
3. Interim relief to continue until further order.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

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

2. Learned P.O. for the Respondents has produced on record a copy of the communication dated 23.01.2019 issued by Desk Officer, State of Maharashtra to Deputy Director, Land Records, Aurangabad for seeking time in the matter from the Tribunal. The same is taken on record.

3. Learned P.O. for the Respondents seeks two weeks time for the same.

4. Time as prayed for is granted as a last chance.

5. S.O. to 20.2.2019.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

**MISC. APPLICATION NO.406/2017
IN
ORIGINAL APPLICATION St. No.861/2017
(Ajit H. Aagle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard Shri N.B. Jadhav, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 1.2.2019.

MEMBER (J)

SAS ORAL ORDER 23-01-2019 bpp

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Shri V.H. Solanke, learned Advocate for the applicant (**Absent**).

Heard Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Presenting Officer has submitted that the respondents has issued the order dated 01.01.2019, thereby cancelled the impugned order of transfer dated 13.07.2018 issued by the respondent No. 2 and the order dated 16.07.2018 issued by the respondent No. 3. He has submitted that since the impugned orders have been cancelled by the concerned respondents and the purpose of filing of the O.A. is served, nothing survives in the present O.A. and therefore, he prayed to dispose of the same.

3. On perusal of the record, it reveals that on 13.07.2018, the respondent No. 2 i.e. the Director, Health Services, Mumbai directed the respondent No. 3 i.e. the Deputy Director, Health Services, Aurangabad to transfer the applicant from Gangakhed, Dist. Parbhani to Hingoli district. On the basis of said communication, the respondent No. 3 issued the order dated 16.07.2018 and transferred the applicant

from Gangakhed, Dist. Parbhani to Akhada Balapur, Tq. Kalmanuri, Dist. Hingoli. The applicant has challenged those transfer orders by filing the present Original Application. During pendency of the present O.A., on 01.01.2019 the respondent No. 2 had issued the communication to the respondent No. 3 and cancelled the transfer orders dated 13.07.2018 and 16.07.2018. Since the impugned transfer orders have been cancelled by the respondents, nothing survives in the present O.A. As the purpose of filing of the O.A. is served, the same deserves to be disposed of accordingly.

4. Before parting with the matter, it is material to note here that neither the respondent No. 2 the Director, Health Services, Mumbai nor the respondent No. 3 the Deputy Director, Health Services, Aurangabad are the competent transferring authority as per the Section 6 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "the Transfer Act 2005"). The competent transferring authority for transfer of the applicant is the Hon'ble Minister in-charge of the Public Health Department. The impugned orders have been issued by the respondent Nos. 2 and 3 without authority. The respondent No. 1 in his affidavit in reply has admitted the fact and made following statement:-

"2. I humbly submit and say that I am filing this affidavit as per the official record

available in my office with regard to the points raised by the Hon'ble Tribunal :-

a) It is humbly submitted that as per Section 6 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 the competent authority to transfer Medical Officer Group A Grade Pay 5400 is the Government in Public Health Department, State of Maharashtra i.e. the Hon'ble Minister incharge of Public Health Department.

b) There is no provision in the above said Act.

c) The respondent No. 1 has no authorized Dr. Dinaji Deoba Khandare to file affidavit in reply on behalf of the Respondent No. 1."

While the respondent No. 2 in his short affidavit has made following statement :-

"3. I say that, It is true in view of the provision of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, then Director i.e. Res. No. 2 have no competent authority to transfer the applicant, Moreover, Director neither have power to issue the direction to Res. No. 3 for issuing transfer order.

But, I humbly submit that as mentioned in earlier affidavit in reply the applicant was not serious to perform his job and for the said reason memos were issued to applicant for fault in his duties. By the memos issued to the applicant it is clearly mentioned that his unauthorized absenteeism were destructing the services of the patient. "

From this it is crystal clear that the respondent Nos. 2 and 3 acted highhandedly and in violation of the provisions of the Transfer Act 2005 and issued the impugned orders dated 13.07.2018 and 16.07.2018 without authority.

5. It is material to note here that on previous occasions also the respondent Nos. 2 and 3 issued such types order illegally and acted in contravention of provisions of statute. The respondent Nos. 2 and 3 issued orders of transfer and suspension illegally in case of **Dr. Sonali Bhausahab Sayamber Vs. The State of Maharashtra and Ors.** in **O.A. No. 647/2017** decided on 09.01.2018 and in case of **Dr. Prashant Kishanrao Kharate Vs. The State of Maharashtra and Ors.** in **O.A. No. 758/2018** decided on 17.12.2018. This shows that the respondent Nos. 2 and 3 are inhabit to exercise powers, which are not vested with them.

6. In case of one Shri Balasaheb Vitthalrao Tidke Vs. The State of Maharashtra and Anr. in W.P. No. 8987/2018 before the Hon'ble High Court of Judicature at Bombay, Mr. Dinesh Kumar Jain, the Chief Secretary of the Government of Maharashtra has filed affidavit stating that the competent transferring authority to effect the transfers will be advised to strictly follow the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 while issuing the transfer order. On the basis of affidavit filed by the Chief Secretary, the Hon'ble High Court disposed of the W.P. In spite of these facts, the respondent Nos. 2 and 3 have passed the impugned orders dated 13.07.2018 and 16.07.2018, though they were empowered and in violation of provisions of the

Transfer Act 2005. Because of the illegal orders issued by the respondent Nos. 2 and 3, the applicant has filed the present O.A. Therefore, in view of these facts, in my view, it is just and proper to direct the Chief Secretary of the Government of Maharashtra to place the matter before the higher competent transferring authority regarding the lapses on the part of the respondent Nos. 2 and 3 in exercising the powers, which were not vested with them and to take appropriate action against them in order to curb the growing tendency of the concerned officer to issue the orders in violation of the Transfer Act 2005.

7. In view of this, the O.A. is disposed of as nothing survives in view of the cancelation of the impugned orders by the order dated 01.01.2019 with a direction to the Chief Secretary of the Government of Maharashtra to place the matter before the higher competent transferring authority regarding the lapses on the part of the respondent Nos. 2 and 3 in exercising the powers, which were not vested with them and to take appropriate decision against them in order to curb growing tendency of the concerned officer of issuing the orders in violation of the Transfer Act 2005. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 262 OF 2018
(Dr. Sanjay K. Munde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that there is no need to file affidavit in reply on behalf of respondent Nos. 1 and 2.

3. S.O. to 22.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 266 OF 2018
(Dr. Sandeep J. Kala V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that there is no need to file affidavit in reply on behalf of respondent Nos. 1 and 2.

3. S.O. to 22.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NOS. 775, 778 & 940 ALL OF 2018
(Shri Dilip N. Sangle & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Ms. Anagha Pedgaonkar, learned Advocate holding for Dr. Kalpalata Patil-Bharaswadkar, learned Advocate for the applicants in all these O.As. and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents in all these O.As.

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

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, issue fresh notice to the respondent No. 5, returnable on 21.02.2019.

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

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

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

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

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

8. S.O. to 21.02.2019.

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

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 817 OF 2018
(Shri Abdul Wasim Abdul Gafur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri R.H. Wagh, learned Advocate holding for Shri Naseem R. Shaikh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed separate affidavit in replies on behalf of respondent Nos. 2, 3 & 4 respectively. Same are taken on record and the copies thereof have been served on the other side.

3. S.O. to 27.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**M.A. No. 134/2018 in O.A. St. No. 495/2018
(Shri Kashinath G. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, 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 29.01.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 355 OF 2017
(Shri Rajendra T. Dawange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 27.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 406 OF 2018
(Shri Arun S. Gosavi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has filed sur-rejoinder on behalf of respondent Nos. 1 and 2 to the rejoinder affidavit filed by the applicant. Same is taken on record and the copy thereof has been served on the other side.

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

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 13.03.2019.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in

the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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

8. The point of interim relief is kept open.

9. S.O. to 13.03.2019.

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

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 46 OF 2019
(Shri Rakesh V. Vasave V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri C.V. Bhadane, learned Advocate for the applicant and Shri V.R. Bhumkar, 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 23.01.2019.

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

**ORIGINAL APPLICATION ST. NO. 75 OF 2019
(Shri Anil G. Lokhande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri B.S. Deokar, 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 O.A. and wants to withdraw the same. Therefore, he prayed to grant leave to the applicant to withdraw the present O.A.

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

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

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION ST. NO. 77 OF 2019
(Smt. Kadubai S. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to file application for condonaiton of delay in filing the accompanying O.A. Time granted.

3. Hence, 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 23.01.2019.

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

**ORIGINAL APPLICATION NO. 425 OF 2017
(Shri Prasad F. Pawar and Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Dr. Swapnil Tawshikar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Presenting Officer has placed on record a copy of the office order dated 22.06.2017 along with other documents. Same are taken on record and marked as document 'X' collectively for the purpose of identification.

3. After hearing the matter for considerable time, it is closed for orders.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 626 OF 2018
(Shri Dilip S. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Shri S.N. Suryawanshi, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer for the respondents, S.O. to 13.03.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 637 OF 2018
(Shri Alkesh N. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri M.S. Sonwane, 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, issue fresh notice to the respondent Nos. 2 and 3, returnable on 25.02.2019.

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

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

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

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

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

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

8. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1, 4 & 5. Time granted.

9. S.O. to 25.02.2019.

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

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 640 OF 2018
(Shri Bhimrao A. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 and 2 and Mrs. S.D. Shelke, learned Advocate for respondent No. 3.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same are taken on record and the copy thereof has been served on the other side.

3. Learned Advocate for the respondent No. 3 has submitted she is adopting the affidavit in reply filed on behalf of respondent Nos. 1 & 2.

4. S.O. to 01.03.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 262 OF 2018
(Mrs. Sulbha B. Khanale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri M.S. Sonawane, learned Advocate holding for Shri A.D. Kadethankar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 07.03.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**ORIGINAL APPLICATION NO. 887 OF 2018
(Dr. Sumant N. Wagh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 05.03.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri S.P. Sonawane, learned Advocate holding for Shri A.L. Kanade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

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

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

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

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**M.A. No. 437/2017 in M.A. St. 1563/2017 in O.A. No. 201/2006
(Shri Govind D. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time for filing additional affidavit of the applicant and Shri S.N. Pagare, earlier learned Advocate for the applicant. Time granted.

3. S.O. to 05.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**M.A. No. 47/2018 in O.A. St. No. 182/2018
(Shri Sheshrao R. Kharate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 01.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**M.A. No. 131/2018 in O.A. No. 891/2016
(Shri Anil P. Salve V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2 in M.A. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 08.02.2019 for hearing.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**M.A. No. 179/2018 in O.A. St. No. 565/2018
(Smt. Sangeeta B. Thorat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 4 in M.A. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 14.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**M.A. No. 422/2018 in O.A. St. No. 1779/2018
(Shri Rajendra B. Potdar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri S.P. Dhoble learned Advocate holding for Shri A.N. Gaddime, 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 in M.A. Time granted as a most last chance.

3. S.O. to 18.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

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

**M.A. No. 443/2018 in O.A. St. No. 1813/2018
(Shri Pandurang V. Arke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019.

ORAL ORDER :

Heard Shri B.A. Rathod, learned Advocate holding for Shri B.V. Thombre, 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 in M.A. Time granted.

3. S.O. to 27.02.2019.

MEMBER (J)

kpb ORAL ORDER 23.01.2019.

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 77/2018
(Shri Rajesh B. Yawalkar 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 : 23.01.2019

ORAL ORDER :

Heard Shri Rajesh B. Yawalkar - applicant in person - and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. In view of compliance of the order of the Tribunal dtd. 8.1.2019, issue notices to the added res. nos. 3 & 4, returnable on 21.2.2019.

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 21.2.2019.

9. Steno copy and 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 NOS. 385, 386 AND 691 ALL OF 2018
(Shri Kalyan T. Gade & 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 : 23.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants in all these matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these matters.

2. Learned P.O. submits that she has no instructions from the concerned respondent on the line of order dtd. 17.12.2018. It is to be noted that on 7.1.2019 also the learned P.O. sought time for taking instructions from the concerned respondents on the line of said order dtd. 17.12.2018. Thus, it appears that the concerned respondent is not interested in taking any corrective steps in the present matter though vide order dtd. 7.1.2019 it was warned that in case by this date no instructions are given by the concerned respondent to the learned P.O. on the line of order dtd. 17.12.2018, necessary order would be passed.

3. However, at the request of learned P.O. S.O. to 29.1.2019 as a last chance. It is however made clear

that, by the next date, if the concerned respondent fails to give necessary instructions to the learned P.O. on the line of order dtd. 17.12.2018, penal action like calling responsible Officer before the Tribunal and / or imposing heavy costs may be passed.

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**

**ORIGINAL APPLICATION NO. 744/2018
(Shri Anjana S. Girnare 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 : 23.01.2019

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned P.O. files on record affidavit in reply of res. no. 2. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. In the circumstances, S.O. to 20.2.2019 either for filing rejoinder, if any, by the applicant and also for hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 851/2018
(Krushnadas A. Palsikar 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 : 23.01.2019

ORAL ORDER :

None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3, is present. None appears for respondent no. 4.

2. Service of notice on res. nos. 1 to 3 is awaited. Learned P.O. also submits that she has no instructions from the res. nos. 1 to 3. In the circumstances in view of absence of applicant and his learned Advocate, S.O. to 11.2.2019 awaiting service on res. nos. 1 to 3.

MEMBER (A)

VICE CHAIRMAN

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

**T.A. 8/2018 (W.P. 11576/2014)
(Ms. Kiran C. Pawar 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 : 23.01.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 15.2.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 11/2019 IN O.A. 139/2017
(Shri Shaikh Liyakat Shaikh Dildar 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 : 23.01.2019

ORAL ORDER :

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

2. Issue notices to the respondents in the present M.A., returnable on 21.2.2019.

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 21.2.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 371/2018 WITH M.A. ST. 1600/2018 IN O.A. ST. 1601/2018
(Shri Nagnath V. Hatkar & 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 : 23.01.2019

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply in the present M.A. It reveals from the order dtd. 2.1.2019 that last chance was granted to the respondents to file affidavit in reply.

3. In the circumstances, at the request of learned P.O., as a most last chance, S.O. to 21.2.2019 for filing affidavit in reply of the respondents in the present M.A. It is however made clear that, if affidavit in reply of the respondents is not filed on the next date, heavy costs may be imposed on the concerned respondents and hearing of M.A. would be taken place without having on record the affidavit in reply of the respondents.

3. 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. 110/2017 IN O.A. ST. 233/2017
(Shri (Dr.) Archana d/o Kartikrao Taltumbde @ Archana w/o
Anilkumar Wahurwagh 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 : 23.01.2019

ORAL ORDER :

Heard Shri M.M. Parghane, learned Advocate holding for Shri Gajanan Kadam, learned Advocate for the applicant, Shri M.P. Gude, 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. Learned Advocate for the applicant has filed rejoinder. It is taken on record and copy thereof has been served on the other side. In the circumstances, S./O. to 22.2.2019 either for filing sur-rejoinder, if any, by the respondents and also for hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 303/2014
(Shri Prakash N. Shrivastav 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 : 23.01.2019

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 15.2.2019 for reporting compliance of the order dtd. 26.6.2018.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 689/2015
(Shri (Dr.) Shrikant B. Tambe 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 : 23.01.2019

ORAL ORDER :

Heard Ms. Rebekah Daniel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 4, Shri V.B. Wagh, learned Advocate for respondent no. 6, and holding for Shri P.R. Patil, learned Advocate for respondent no. 5.

2. Learned Advocate for the applicant has filed written notes of arguments. The same is taken on record. Learned P.O. for res. nos. 1 to 4 and Shri Wagh, learned Advocate for res. no. 6 and holding for Shri P.R. Patil, learned Advocate for res. no. 5 submit that the affidavit in replies of respective respondents be treated as their written notes of arguments.

3. In the circumstances, the present matter is reserved for orders.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 07/2017
(Shri Shishirbaba K. Ghonmode 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 : 23.01.2019

ORAL ORDER :

None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. The record would show that on many occasions either the applicant or his Advocate are absent or sought time for hearing. In the circumstances, as a last chance S.O. to 14.2.2019 either for hearing or for passing necessary orders in default.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 23-01-2019

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

**ORIGINAL APPLICATION NO. 483/2018
(Dr. Babasaheb D. Deshmukh 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 : 23.01.2019

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1 to 4 and Shri Ashish Shinde, learned Advocate for respondent no. 5.

2. At the request of learned Advocate for the applicant, S.O. to 8.2.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 50 AND 255 BOTH OF 2017
(Shri Balesh D. Bhendekar & 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 : 23.01.2019

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in both the matters and Shri M.P. Gude, learned Presenting Officer for the respondents in both the matters.

2. Both the sides have filed written notes of arguments. In the circumstances, matters are reserved for orders.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 485 OF 2015
(Dr. Vinayak B. Sawale Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 648 OF 2015
(Dr. Subhash P. Madrewar Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 768 OF 2015
(Dr. Pradeep N. Pensalwar Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 769 OF 2015
(Dr. Samb S. Shivpuje Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2019

ORAL ORDER :

Heard S/shri B.K. Patil & J.S. Deshmukh, learned Advocates for the applicants in respective matters, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters and Shri P.R. Tandale, learned Advocate for respondent no. 4 in O.A. nos. 648, 768 and 769/2015.

2. By the present Original Applications the respective applicants are seeking a common relief of extending of benefits of G.R. dtd. 30.5.2015 to the Maharashtra Medical & Health Services Group 'B' Medical Officers, though in the said G.R. it is described that the benefits of the said G.R. (i.e. raising of age of superannuation from 58 years to 60 years) would be applicable only to the Group 'A' Medical Officers.

3. Upon hearing both the sides, it appears that the issue involved in the present matters has been now decided by the Hon'ble Bombay High Court, Nagpur Bench by passing order in writ petition no. 6757/2017 on 5.3.2018. Copy of the said judgment has been placed on record by the learned Advocate for the applicant and it is marked as document 'X' for the purpose of identification. At page 4 of the said judgment, Hon'ble High Court observed as under :-

“On hearing the learned counsel for the parties and on a perusal of the Government Resolution dated 30.05.2015 and 2nd July 2002 it appears that that the Tribunal was justified in declaring that the respondent was entitled to continue in service till he completed the age of 60-years. The respondent was admittedly a Medical Officer drawing the pay-scale of Rs. 15600-39100/- with grade pay of Rs. 5400/- at the relevant time when the petitioners sought to retire him on attaining the age of 58-years. On a reading of the Government Resolution dated 2nd July, 2002, it appears that every Government employee drawing the pay scale of Rs. 11500/- and above, is a group “A” employee. If that is so, the respondent was also a Group “A” employee, as he was drawing a pay-scale of Rs. 15600-39100/- with grade pay of Rs. 5400/-. While granting similar benefit to several other Medical Officers it appears that the petitioners had wrongfully denied the same benefit to the respondent. On a consideration of the Government Resolutions, the Tribunal rightly directed the petitioners to consider that age of retirement of the respondent was 60-years and to fix his pay accordingly.”

4. In the circumstances, there is no hitch in granting benefit of G.R. dtd. 30.5.2015 regarding extension of age of superannuation to the Group 'B' Medical Officers drawing salary in the pay scale as quoted above, from 58 years to 60 years. It is however to be noted that the applicants in the present matters are already superannuated.

5. In the circumstances, the observations made by Hon'ble High Court in the last para of the judgment in W.P. no. 6757/2017 dtd. 5.3.2018 would be applicable in the present cases, where it is held that the respondent in the said W.P. (i.e. applicant in O.A.) would be entitled to receive monetary benefits from the date of said order.

6. In view of above the present O.As. are disposed of without any order as to costs. It is hereby further ordered that as the applicants in the present O.As. are already superannuated from service, they are entitled for monetary benefits of the G.R. dtd. 30.5.2015 from the date of this order.

MEMBER (A)

VICE CHAIRMAN