

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

**ORIGINAL APPLICATION NO.799/2016
(Bhura Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri H.A.Joshi learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned Advocate has filed affidavit in rejoinder on behalf of the applicant. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 05-12-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.944/2016
(Sunil Jagtap V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri C.P.Patil learned Advocate holding for Shri P.B.Patil learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned Advocate has filed affidavit in rejoinder on behalf of the applicant. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 06-12-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.178/2018
(Md. Raisoddin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri I.D.Maniyar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 05-12-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.721/2018
(Bhagwan Sangle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri B.S.Deokar learned Presenting Officer for respondents and Shri S. D. Dhongde learned Advocate for respondent nos.2 and 3.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 05-12-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.71/2017
(M.G.Kandalgaonkar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri V.G.Pingle learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 07-12-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.576/2017
(Ulhas Suryavanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri S.D.Dhongde learned Advocate holding for Smt. Suchita Dhongde 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 07-12-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

ORIGINAL APPLICATION NO.767/2018
(Yogita Salve V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri D.A.Bide learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Issue notice to respondents, returnable on 03-12-2018.

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 03-12-2018.

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

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.803/2018
(Shivaji Davkhar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Smt. Anita A. Gadekar learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Issue notice to respondents, returnable on 06-12-2018.

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 06-12-2018.

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

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.804/2018
(Subhash Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Smt. Anita A. Gadekar learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Issue notice to respondents, returnable on 06-12-2018.

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 06-12-2018.

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

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

ORIGINAL APPLICATION NO.811/2018
(Madhav Kale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Mohit Deshmukh learned Advocate holding for Shri S.G.Chapalgaonkar learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Issue notice to respondents, returnable on 05-12-2018.

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 05-12-2018.

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

MEMBER (J)

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri K.B.Jadhav learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Issue notice to respondents, returnable on 04-12-2018.

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 04-12-2018.

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

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**M.A.No.332/2018 IN O.A.St.No.1178/2018
(Pradeep Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Shri A.S.Kadam learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. None is present for the applicant. Hence, the case be fixed for passing appropriate order on 01-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION ST. NO.1752/2018
(Bhika Pathare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned Advocate for the applicant prays for grant of leave to amend prayer clause B and C suitably. Leave as prayed for is granted. Applicant shall carry out amendment on or before 05-11-2018.

3. S.O. to 05-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.527/2016
(Pratibha Kathar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri M.B.Kolpe learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted on instructions from the applicant that the applicant is going to make representation with the respondents to extend benefits granted to similarly situated persons, and therefore, he prayed to dispose of the O.A.

3. Learned P.O. has prayed to pass necessary order.

4. Since the applicant does not want to proceed with the O.A., it stands disposed of accordingly. There shall be no order as to costs.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.460/2017
(Suvarna Ghodke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri K.B.Jadhav learned Advocate holding for Shri S.R.Dheple learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Since the pleadings are complete, case is admitted. It may be kept for final hearing on 07-12-2018.

3. S.O. to 07-12-2018 for final hearing.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

ORIGINAL APPLICATION NO.706/2017
(Sadashiv Naik V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Shri B.M.Dhanure learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for respondents is present.

2. None appears for the applicant. Learned P.O. has submitted that all the pensionary benefits including provisional pension till April, 2018 is paid to the applicant and in that regard communication dated 28-06-2018 has been produced.

3. On enquiry, learned P.O. is unable to make statement as to whether regular pension has been granted to the applicant or not. Learned P.O. seeks time to take instructions from the respondents in that regard. Therefore, he has prayed for 2 weeks' time. Time is granted.

4. S.O. to 20-11-2018.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.806/2017
(Dr. Ranjitsing Padvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for respondents. Smt. Vaishali Chaudhari learned Advocate for respondent no.4 is **absent**.

2. Learned Advocate for the applicant has produced copy of the representation made by the applicant to the respondents for posting him at the place mentioned by him in the representation on the basis of G.R. dated 10th March, 2015. Same is taken on record. Learned Advocate for the applicant has submitted that representation of the applicant dated 02-07-2018 has not been decided by the respondents. Therefore, direction can be given to the respondent no.1 to decide his representation on merit within a stipulated time period and with that direction O.A. may be disposed of.

3. Learned P.O. submits that reasonable time may be granted to the respondents to take decision on the representation of the applicant.

4. In view of the submission made by the learned Advocate for the applicant, O.A. is disposed of with direction to respondent no.1 to take decision on the representation made by the applicant on 02-07-2018 as per rules on merit within 2 months from the date of this order. O.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.923/2017
(Nayeem Sq. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri R.D.Khadap learned Advocate holding for Shri M.B.Kolpe learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents. Shri Raviraj Chandak learned Advocate for respondent no.4 is **absent.**

2. At the request of learned Advocate for the applicant, S.O. to 30-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.79/2018
(Aasha Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to produce complete copy of the judgment of order passed by this Tribunal in O.A.No.149/2003. Time is granted.

3. S.O. to 30-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.167/2018
(Nishikant Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant states that he will file affidavit in rejoinder during the course of the day. He also undertakes to serve copy of the same on the other side.

3. S.O. to 29-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.354/2018
(Dr. Suryakant Gite V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Abhay Taksal learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for respondents and Shri R.D.Khadap learned Advocate for respondent no.4.

2. Learned P.O. has submitted that the proposal regarding modification in transfer order of the applicant sent by the Deputy Director is pending with the Government and she has not received instructions as to whether the Government has taken decision on the same. Therefore, she has prayed to grant time to make statement in that regard and to comply the order. Time is granted to comply with the order.

3. S.O. to 19-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.381/2018
(Zuberuddin Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Shri O.D.Mane learned Advocate for the applicant has filed **leave note** on record. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.417/2018
(Chagan B. Chavan & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on the ground that the draft reply has been sent to the higher authorities for approval. He has further submitted that similarly situated persons filed O.A.Nos.734, 736, 787, 791, 793, 517, 804 and 808 all of 2018 before the Principal Seat of the Tribunal at Mumbai and same are fixed for hearing. He has submitted that the respondents have moved the application for transferring the case to the Principal Seat of the Tribunal and the same is pending. Therefore, he sought time to file reply.

3. Learned Advocate for the applicant strongly objected to grant of time to the respondents.

=2=

O.A.No.417/18

4. In view of the submission made by the learned P.O. last chance is granted to file reply on behalf of the respondents. .

5. S.O. to 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Ku. Tulja Bondarde learned Advocate holding for Shri C.V.Dharurkar learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 04-12-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.516/2018
(Ravindra Gangurde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Since pleadings are complete, matter is admitted. Case be fixed for final hearing on 11-12-2018.

3. S.O. to 11-12-2018 for final hearing.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.583/2018
(Sahebrao Sormare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri K.B.Jadhav learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 29-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.685/2018
(Naserkhan Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes
learned Advocate for the applicant and
Shri D.R.Patil learned Presenting Officer for
respondents.

2. Learned P.O. states that he will file affidavit
in reply of respondent nos.1 to 3 during the
course of the day. He also undertakes to serve
copy of the same on the other side.

3. S.O. to 20-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.712/2018
(Sandipan Gavali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri D.K.Rajput learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Issue notice to respondents, returnable on 05-12-2018.

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 05-12-2018.

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

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.717/2018
(Vidya Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 20-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.725/2018
(Dr. Prasad Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Shri Vishnu Dhoble learned Advocate for the applicant has filed **leave note** on record.

Shri D.R.Patil learned Presenting Officer for respondents is present.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time is granted.

3. S.O. to 30-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**ORIGINAL APPLICATION NO.726/2018
(Dr. Vidya Boinwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Shri Vishnu Dhoble learned Advocate for the applicant has filed **leave note** on record. Shri S.K.Shirse learned Presenting Officer for respondents is present.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time is granted.
3. S.O. to 30-11-2018.

YUK ORAL ORDER 24-10-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.727/2018
(Dr. Vinayak Pache V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Shri Vishnu Dhoble learned Advocate for the applicant has filed **leave note** on record. Shri B.S.Deokar learned Presenting Officer for respondents is present.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time is granted.
3. S.O. to 30-11-2018.

YUK ORAL ORDER 24-10-2018 F

MEMBER (J)

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

**M.A.No.508/2017 IN O.A.St.No.1873/2017
(Vasant Joshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Learned P.O. has submitted that she has communicated the orders passed by the Tribunal on 21-08-2018 and 03-10-2018 but they have not filed affidavit in reply. She has submitted that since she has no instructions from the respondents, time may be granted to file reply of respondents.

3. On perusal of record, it reveals that total costs of Rs.3000/- is imposed on the respondents as they have not filed affidavit in reply. In spite of imposition of costs they have not filed reply till today. There is no just ground to adjourn the case for filing reply. Hence, request of the

learned P.O. is rejected. Case be heard without affidavit in reply of the respondent nos.1 and 2.

4. Costs imposed on respondent nos.1 and 2 be recovered from personal pocket of respondent nos.1 and 2.

5. Case is adjourned for hearing till 28-11-2018.

MEMBER (J)

YUK ORAL ORDER 24-10-2018 F

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

**M.A. No. 143/2018 in O.A. St. No. 548/2018
(Shri Swairam D. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

Heard Shri G.N. Kulkarni (Mardhikar),
learned Advocate for the applicant and Shri N.U.
Yadav, learned Presenting Officer for
respondents.

2. Learned Presenting Officer has submitted
that during the course of the affidavit in reply in
M.A. would be filed.

3. S.O. to 27.11.2018.

MEMBER (J)

KPB ORAL ORDER 24-10-2018

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

**M.A. No. 144/2018 in O.A. St. No. 546/2018
(Shri Swairam D. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

Heard Shri G.N. Kulkarni (Mardhikar),
learned Advocate for the applicant and Shri M.P.
Gude, learned Presenting Officer for respondents.

2. Learned Presenting Officer has submitted
that during the course of the affidavit in reply in
M.A. would be filed.

3. S.O. to 27.11.2018.

MEMBER (J)

KPB ORAL ORDER 24-10-2018

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

**M.A. No. 253/2018 in O.A. St. No. 1120/2018
(Shri Shubham H. Myadarwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

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

2. By filing the present Misc. Application, the applicant has prayed to condone the delay of 2 months and 27 days caused in filing the accompanying O.A. on the ground that he could not able to file the O.A. in time due to his poor financial position. The reason mentioned in the application more particularly in paragraph No. 5 seems to be reasonable and satisfactory and hence, the same is accepted.

3. In view of this, the M.A. No. 253/2018 is allowed and the delay of 2 months and 27 days caused in filing the accompanying O.A. is condoned. There shall be no order as to costs.

4. The office is directed to register the O.A. after due scrutiny.

MEMBER (J)

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

**O.A. St. No. 1120/2018
(Shri Shubham H. Myadarwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Upon registration, issue notices to the respondents, returnable on 06-12-2018.

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 respondents 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, the case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 06-12-2018.

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

MEMBER (J)

KPB ORAL ORDER 24-10-2018

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

**ORIGINAL APPLICATION NO. 758/2018
(Dr. Prashant K. Kharate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 31.10.2018.

MEMBER (J)

KPB ORAL ORDER 24-10-2018

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

**ORIGINAL APPLICATION NO. 627/2012
(Shri Duryodhan M. Mate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for Shri A.D. Shinde, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to argue the matter. Time granted as a last chance.

3. S.O. to 19.11.2018.

MEMBER (J)

KPB ORAL ORDER 24-10-2018

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

ORIGINAL APPLICATION NO. 313/2017

with

ORIGINAL APPLICATION NO. 407/2017

(Shri Tulshiram B. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicants in both the O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 4 in both the O.As. and Shri S.D. Joshi, learned Advocate for respondent No. 5 in both the O.As.

2. At the request of learned Chief Presenting Officer, S.O. to 29.11.2018.

MEMBER (J)

KPB ORAL ORDER 24-10-2018

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

**ORIGINAL APPLICATION NO. 372/2017
(Shri Gangadharrao M. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer
for the respondents, S.O. to 29.11.2018.

MEMBER (J)

KPB ORAL ORDER 24-10-2018

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

**ORIGINAL APPLICATION NO. 665/2017
(Shri Rambhau L. Kuskar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 29.11.2018.

KPB ORAL ORDER 24-10-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 774/2017
(Shri Faroqui Sahed Latif V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

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

2. At the request and by consent of both the parties, S.O. to 12.12.2018.

KPB ORAL ORDER 24-10-2018

MEMBER (J)

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

ORIGINAL APPLICATION NO. 297 OF 2018

[Shri Ajay R. Umale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Heard Shri Vijay V. Deshmukh, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, admit. The present case be removed from the board and it be placed before the Division Bench for final hearing in due course of time.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

M.A.NO. 35/2018 IN O.A.ST.NO. 97/2018

[Shri Nilesh R. Tagad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Shri S.S. Jadhavar, learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent No. 1 & Shri M.B. Kolpe, learned Advocate for respondent No. 2.

2. At the request of learned Advocate for respondent No. 2, S.O. to 11th December, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

ORIGINAL APPLICATION NO. 736 OF 2012

[Shri Devidas R. Jadhav Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Heard Miss. Anagha Pedgaonkar, learned Advocate holding for Shri Sudhir Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. Learned Presenting Officer seeks time to file affidavit in reply to the amended O.A. Time granted.
3. S.O. to 20th November, 2018 for filing affidavit in reply to the amended O.A.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

ORIGINAL APPLICATION NO. 680 OF 2013

[Shri Vilas R. Gandhane & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Heard Shri P.V. Suryawanshi, learned Advocate for the applicants (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer submits that Writ Petition No. 10547/2017, a reference of which is made in the order dated 24.9.2018 is pending before the Hon'ble High Court, wherein status quo is granted to the similarly situated persons.

3. S.O. to 12th December, 2018 for reporting progress in the Writ Petition.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

T.A.NO. 07/2016 [W.P.NO. 1533/2015]

[Smt. Chandrakala K. Navgire Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Heard Smt. Firdose Shaikh, learned Advocate holding for Shri Naseem Shaikh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer submits that during the course of the day he will file affidavit in reply. The copy of the same be served on the learned Advocate for the applicant.

3. In the circumstances, S.O. to 6th December, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

ORIGINAL APPLICATION NO. 187 OF 2017

[Smt. Shabdashree T. Bhangе Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Heard Shri V.B. Dhage, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that communication is received, however, photo copy remained to be made.
3. In the circumstances, S.O. to 31st October, 2018 for compliance.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

ORIGINAL APPLICATION NO. 393 OF 2007

[Shri Himat B. Patil Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Shri C.V. Thombre, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 & 2 and Shri S.D. Dhongde, learned Advocate for respondent No. 3.

2. In view of absence of learned Advocate for the applicant, S.O. to 26th November, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-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, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 24.10.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 28th November, 2018 for hearing or for passing necessary orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

ORIGINAL APPLICATION NO. 50 OF 2015

[Shri Rajendra B. Patil Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Heard Shri K.B. Jadhav, learned Advocate holding for Shri K.G. Salunke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 27th November, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

ORIGINAL APPLICATION NO. 250 OF 2015

[Shri Pralhad S. Pande Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that while *ad hoc* promotions are granted to the junior employees by leaving the present applicant as an appeal was pending against him, he being acquitted from the criminal case. It is an admitted fact that during pendency of the present O.A., the applicant is superannuated. The issue, therefore, remains as to whether the applicant can claim pension and other pensionary benefits, in case the present O.A. would be allowed and it is found that the *ad hoc* promotion of the juniors were not legal.

3. Both sides seek accommodation to make submissions on the above issue. At their request, S.O. to 4th December, 2018 for making submissions on the above line.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 592 OF 2017

[Association of Pharmacy Teachers of India, Through its Members Vs.
State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 5th December, 2018. In the meantime liberty to file an application for amendment is hereby granted.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

ORIGINAL APPLICATION NO. 426 OF 2015

[Smt. Rupali S. Pawar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

1. Heard Shri J.M. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. It appears that by oral submissions, the learned Advocate for the applicant is not satisfied. He would be at liberty to file written notes of arguments. The same may be filed on or before 1st November, 2018. Reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

ORIGINAL APPLICATION NO. 533 OF 2013

[Shri Shashikant N. Tidke Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018.

ORAL ORDER :

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

2. Learned Advocate Shri V.B. Wagh for respondent Nos. 4 to 10 submits that the seniority list is revised on the basis of the directions issued in the judgment by the Division Bench of this Tribunal in one O.A. This revised seniority list is impugned in the present O.A. In that view of the matter, it is necessary to go through the reasoning of the decision.

3. Learned Advocate Shri V.B. Wagh for respondent Nos. 4 to 10 seeks time to file copy of the said judgment on record. At his request, S.O. to 27th November, 2018 for filing copy of the judgment on record and for hearing.

MEMBER (A)

VICE CHAIRMAN

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

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. S.O. to 20th December, 2018 for reporting the progress in the matter, which is pending in the Hon'ble Supreme Court.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 24.10.2018-HDD

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

**MA 339/2018 WITH M.A. 23/2014 WITH M.A. 10/2011 IN O.A.785/1998
(Shri Bhatu Hari Sonar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. M.A. no. 339/2018 has been filed by the applicant for quashing and setting aside the order dtd. 18.2.2014 whereby the M.A. no. 23/2014 was dismissed in default. M.A. no. 23/2014 was filed by the applicant for restoration of M.A. 10/2011 which was dismissed in default vide order dtd. 3.12.2013. M.A. no. 10/2011 was filed by the applicant for restoration of O.A. no. 785/1998, which was dismissed in default vide order dtd. 23.7.2009.

2. According to applicant that on 18.2.2014 M.A. no. 23/2014 was shown in the order matters category and, therefore, the junior of learned Advocate for the applicant did not attend the same. Affidavit in reply is yet to be received.

3. As there was delay in filing M.A. no. 339/2018 (M.A. st. no. 267/2015), the applicant had filed M.A. no. 318/2015 for condonation of 365 days delay in filing the same. Vide order dtd. 10.9.2018 the said M.A. no. 318/2015 had been allowed and the delay of 365 days in filing M.A. st. 267/2015 has been

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MA 339/2018 WITH M.A. 23/2014
WITH M.A. 10/2011 IN O.A.785/1998

condoned and, therefore, the present M.A. st. 267/2015 is registered in the year 2018 and numbered as M.A. no. 339/2018.

4. Upon hearing both the sides, for the reasons stated in the present M.A. no. 339/2018 and as the delay in filing the said M.A. is already condoned by the Tribunal, the same is allowed and M.A. no. 23/2014 is restored to its original file and it be placed for hearing on 29.11.2018.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 49/2015
(Shri Dattatray Gyanobarao Zade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Both the sides were heard at length on 19.10.2018 and the present matter was reserved for judgment.

3. While going through the case, it was found that in para 6 of the present O.A. the applicant averred that in the year 2009 the seniority of the employees and more particularly of the Jr. Clerks was not separately formed for Nanded region. Thus, a common seniority list for Nanded and Latur regions was formed.

4. However, copy of the said seniority list of the year 2009 is not filed on record by the applicant. Respondents also did not file the same on record. Considering the issue involved in the present matter it is necessary to have the said documents on record.

5. In the circumstances, both the sides are directed to file seniority list / common seniority list of Nanded & Latur region of Jr. Clerks of the year 2009.

S.O. to 28.11.2018 for above compliance from the both the sides.

6. Steno copy and steno copy allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**C.P. 71/2018 IN O.A. 59/2014
(Mangala Dattatraya Lasurkar (Died) through L.R. Purushottam Eknath Joshi
V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri D.K. Dagadkhair, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Issue notices to the respondents no. 4 and 5 in the present contempt petition, returnable on 10.12.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**C.P. ST. 1672/2018 IN O.A. 650/2007
(Dadarao G. Gaikwad & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri V.B. Dhage, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicants seeks time to remove the office objections. At his request, S.O. to 26.11.2018 for removal of office objections.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 203/2018
(Savita S. Wandhekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Nitin A. Bhapkar, learned Advocate holding for Shri A.A. Nimbalkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 19.11.2018 for filing service affidavit of res. no. 2.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 474/2018
(Prashant P. Vaidya V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Shri Ajay S. Deshpande, learned Advocate for the applicant (**leave note**). Shri M.P. Gude, learned Presenting Officer for respondents, is present.

2. Learned Advocate for the applicant has not filed affidavit regarding service of notices upon the respondent nos. 3 to 5. Today the learned Advocate for the applicant has filed leave note. In the circumstances, S.O. to 20.11.2018 for above compliance from the side of applicant.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**O.A. NOS. 716, 736, 634, 635 ALL OF 2018
(Atul N. Shirse & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicants in all these matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents in all these matters.

2. Learned P.O. submits that, she has received instructions in all these matters to seek adjournment for filing affidavit in reply of the respondents. In the circumstances, there is no need to await service of some of the respondents in some of the matters.

3. At the request of learned P.O., S.O. to 28.11.2018 for filing affidavits in replies of respective respondents in all these matters.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 963/2017
(Vasant D. Karke & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. At the request of learned C.P.O., S.O. to 19.11.2018 for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 160/2018
(Nilesh P. Bansude V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Shri Dambe, learned Advocate holding for Shri Panale, learned Advocate for the applicant has filed rejoinder of the applicant. It is taken on record and copy thereof has been served upon the learned P.O. for the respondents. In the circumstances, S.O. to 4.12.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NOS. 385 AND 386 BOTH OF 2018
(Kalyan T. Gade & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 6.12.2018 for filing affidavit in reply of the respondents in both the matters.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 488/2018
(Dattu B. Kolpe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Learned C.P.O. submits that during the course of the day affidavit in reply of the respondents would be filed. It be taken on record and copy thereof be served upon the learned Advocate for the applicant.

3. In the circumstances, S.O. to 19.11.2018 for filing rejoinder, if any, and hearing

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

None appears for the applicant. Shri D.R. Patil,
learned Presenting Officer for respondents, is present.

2. At the request of learned P.O., S.O. to
29.11.2018 for filing affidavit in reply of the
respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 715/2018
(Dr. Padma D. Parne V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

None appears for the applicant. Smt. M.S. Patni, learned Presenting Officer for respondents, is present.

2. At the request of learned P.O., S.O. to 10.12.2018 for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 669/2017
(Balasaheb B. Surwase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Anand Deshpande, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate, S.O. to 27.11.2018 for filing short affidavit of the applicant.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 96/2018
(Arun K. Tike V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

None appears for the applicant. Shri N.U. Yadav, learned Presenting Officer for respondents, is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 27.11.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 259/2018
(Naseem Banu Nazir Patel V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to
27.11.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NOS. 212, 213, 214 AND 215 ALL OF 2018
(Ashok C. Labde & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Learned Advocate for the applicants submits that the S.L.P. reference of which is made in the order dtd. 19.9.2018 has no relevance in the present matters.

3. Learned C.P.O. seeks time to take instructions from the concerned respondents regarding the present decision taken by the State Government regarding promotions.

4. At the request of learned C.P.O., S.O. to 5.11.2018 for making submissions on the above line.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 627/2017
(Kailas Ramesh Rao Shriramwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri M.R. Wagh, learned Advocate holding for Shri R.B. Narwade Patil, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 3 & 4.

2. By the present O.A. the applicant is claiming following reliefs :-

“(b) That, the respondents be order and directed to give the applicant all the benefits of seniority, continuity of service, pay scale along with back wages considering 23.12.2009 as his initial deemed date of appointment and for that purpose issue necessary orders.

(c) That, the respondents be ordered and directed to consider the representation of the applicant dated 2.3.2016, 9.5.2016 and 27.3.2017 in the light of the observations made by the Hon'ble High Court in its order dated 24.4.2015 passed in review application no. 213/2014 and for that purpose issue necessary orders.”

3. The facts on record would show that the present applicant had applied for the post of Kalawa Chaukidar with the respondents. After undergoing the selection process he was not appointed and,

therefore, he filed O.A. no. 983/2009, which was decided by the Division Bench of this Tribunal vide order dtd. 10.3.2011. The Division Bench came to the conclusion that while there was only one post available, the advertisement was issued for 2 posts and the compassionate appointee was also accommodated and, therefore, the present applicant could not be appointed. In that view of the matter this Tribunal vide para 8 of the said order has observed as under :-

“8. For all above reasons, since we can not arrive at a conclusion that, non appointment of applicant in spite of being in the select list was not for bona fide reasons, the communication under challenge need not be considered for being quashed and therefore, O.A. cannot be considered favourably. O.A. is therefore, dismissed.”

4. Thereafter the present applicant filed writ petition bearing No. 7786/2011 before the Hon'ble High Court challenging the above order of the Tribunal. Hon'ble High Court decided the said writ petition on 15.1.2013. Copy of the said order is annexed by the learned Advocate for the applicant at page no. 24. The said order is as under :-

“1. The Executive Engineer of Poorna Irrigation Sub Division is present in person. Learned AGP, on instructions from the Executive Engineer, makes a statement that there are two posts of Kalwa Choukidar vacant, and, the petitioner would be accommodated against the vacancy. In view of statement made by learned AGP, nothing survives for consideration in the instant petition. Petition stands disposed of.

2. Pending civil application, if any, does not survive and stands disposed of. ”

5. Review Application against the said order was dismissed by the Hon'ble High Court. Learned Advocate for the applicant submits that the applicant was required to run from pillar to post for the said appointment and because of directions from Hon'ble High Court, he was ultimately appointed. Therefore, deemed date of appointment should be given to the applicant.

6. On hearing both the sides, we find that there is no merit in the present O.A. and the same deserves to be dismissed for the following reasons :-

(i) In O.A. no. 983/2009 the Division Bench of this Tribunal on merit found that there was no force in that O.A. as at the relevant time no post was available for the reasons mentioned therein and therefore the said O.A. was dismissed.

(ii) Later on before the Hon'ble High Court the Executive Engineer, Poorna Irrigation Sub Division made a statement that 2 posts at that time were available and therefore, the present applicant could be accommodated against the said post. Solely on that basis and as at that time vacancy become available, the writ petition was disposed of in view of the said statement of Executive Engineer.

(iii) It is not the case that Hon'ble High Court came to the conclusion that, though there were vacancies earlier, still the applicant was not given appointment or the applicant had any

right to claim appointment merely because he has participated in the selection process.

7. In that view of the matter, there is no merit in the present O.A. and the same is hereby dismissed without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**T.A. 8/2018 (W.P. 11576/2014)
(Kiran C. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, is present.

2. In view of transfer of W.P. no. 11576/2014 from Hon'ble High Court to this Tribunal, Office is directed to issue notice to the applicant for remaining present in the present matter on 11.12.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 285/2018
(Meera J. Dolas V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, 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 19.11.2018 for filing rejoinder.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 587/2018
(Balaji S. Sangaonkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned P.O., S.O. to 29.11.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 651/2018
(Amit M. Ghawale & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri M.S. Taur, 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 19.11.2018 for filing affidavit regarding service of notices on the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 517/2017
(Anup S. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 27.11.2018 for filing affidavit in reply of the respondents to the amended O.A.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 422/2018
(Dr. Raghuvir V. Bhosale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

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

2. Shri Kulkarni, learned Advocate holding for Shri Dhongde, learned Advocate for the applicant seeks time for filing M.A. for amendment in O.A. At his request, S.O. to 5.12.2018 for filing separate M.A. for amendment.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NOS. 231, 232 AND 233/2018
(Aishwarya V. Mudholkar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Prithvi A. Rathod, learned Advocate for the applicants in all these cases, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent No. 1 in all these cases, Shri H.A. Joshi, learned Advocate for respondent No. 3 in O.A. No. 231/2018 and for respondent Nos. 10, 14, 20, 26, 34, 35, 36, 38, 43, 46, 47, 49, 51 & 52 in O.A. No. 232/2018 and Shri M.B. Kolpe, learned Advocate for respondent No. 2 in all these cases. Smt. Swati B. Nakhate, learned Advocate for respondent Nos. 6 & 65 in O.A. Nos. 231 & 233/2018 (**absent**). Shri V.B. Wagh, learned Advocate for respondent Nos. 30 in O.A. No. 232/2018, present. Shri Amol Gandhi, learned Advocate for respondent No. 14 in O.A. No. 232/2018 (**absent**).

2. Learned Advocate for res. no. 2 has filed separate affidavit in replies in respective matters. The same are taken on record and copies thereof are supplied to the learned Advocate for the applicant. S.O. to 19.11.2018 for filing affidavit in replies by rest of respondents in the matters in which it is not filed.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 805/2017
(Dr. Vanita N. Puri V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Shri Vishnu Dhoble, learned Advocate for the applicant (**leave note**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2 and Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for respondent no. 4, are present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 5.12.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**T.A. 5/2018 (W.P. 9261/2018)
(Pravin C. Janjal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Prafulla Bodade, learned Advocate holding for Shri N.S. Kadarale, 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 29.10.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**T.A. 6/2018 (W.P. 9314/2018)
(Prasanna R. Raut & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri Prithvi Rathod, learned Advocate holding for Shri Abhay Rathod, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.10.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018

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

**ORIGINAL APPLICATION NO. 32/2018
(Shahadeo S. Bangar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 24.10.2018

ORAL ORDER :

Heard Shri J.S. Deshmukh, 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 7.12.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 24-10-2018