

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

**O.A. NO. 730/2016
(Dipak Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri N.K. Tungar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 & 2 and Shri D.A. Bide, learned Advocate holding for Shri R.E. Pathade, learned Advocate for respondent nos. 3 to 5. None appears for respondent nos. 6 & 7, though duly served.

2. The Officer Shri N.N. Suryawanshi, Assistant Director, District Skill Development, Employment & Entrepreneurship Guidance Center, Aurangabad is present in the Court hall. He submits that the software developed at Headquarters had automatically gave data that the applicant is from E.S.B.C. (General) category.

3. The learned Advocate for the applicant as well as the applicant, who is present in the Court hall himself however, makes a statement that when the applicant had been in the Office of res. no. 2, New Mumbai, a Madam thereat had in fact got printed the entire application, which was sent

through the website to the said Office and it would show that the applicant has applied from E.S.B.C. (Project Affected Persons) category. The applicant submitted that the said exercise was carried out by the said Madam on instructions of Shri Sharad Angane – the Officer thereat.

4. In the circumstances the Officer Shri N.N. Suryawanshi, Assistant Director, District Skill Development, Employment & Entrepreneurship Guidance Center, Aurangabad, who is present in the Court hall, is hereby directed to send a communication to Shri Sharad Angane - Officer in the Office of res. no. 2 and seek the print of the entire application of the applicant and file the same on the next date. S.O. to 8.11.2017.

5. The learned P.O. to act upon the steno copy of this order.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 843/2016
(Shamrao Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant has filed rejoinder affidavit of the applicant. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. While in the affidavit in reply of res. nos. 1 & 2 in para 6 the respondents have averred that the Annual Confidential Reports of the applicant for the years 2008-09 & 2010-11 are not available, the rejoinder affidavit would show that the copies of these A.C.Rs. are annexed to the rejoinder by the applicant.

4. The learned P.O. is, therefore, directed to seek the explanation of the concerned respondent as to why wrong / false statement has been made in the affidavit in reply and to see whether any corrective steps can be taken according to Rules / G.Rs. upon scrutiny of the A.C.Rs. of the

applicant and file report accordingly in this Tribunal.

5. S.O. to 9.11.2017 for submitting explanation by the concerned respondent.

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

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 107/2017
(Sahadev Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned P.O. files on record the affidavit in reply of res. no. 4. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. The learned P.O. further seeks time to file affidavit in reply of res. nos. 1 to 3. At his request S.O. to 9.11.2017 for filing affidavit in reply of res. nos. 1 to 3.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 117/2017
(Chandgdev Vs. The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The learned Advocate, on instructions of the applicant, submits that no amendment in the O.A. is necessary.

3. It appears that the res. no. 2 has already filed affidavit in reply. The learned P.O. submits that present affidavit in reply of res. nos. 1 & 3 is not required. In the circumstances, S.O. to 7.11.2017 for admission hearing.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 182/2017
(Shripatrao Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. The learned P.O. files on record separate the affidavits in reply of res. nos. 2 & 5 and res. no. 4. Both the replies are taken on record and copies thereof have been supplied to the learned Advocate for the applicant. The learned P.O. submits that the affidavit in reply of res. no. 1 is not necessary. In the circumstances, S.O. to 8.11.2017 for admission hearing.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 274/2017
(Anil & Ors. Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri Y.P. Deshmukh, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that separate M.A. for leave to amend the O.A. is filed. He further submits that he has removed all the office objections. In the circumstances, S.O. to 4.10.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 397/2017
(Janardhan Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Shri Shamsundar B. Patil, learned Advocate for the applicant has filed leave note. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. The learned P.O. seeks time to file affidavit in reply of the respondents. At his request, S.O. to 7.11.2017 for filing affidavit in reply.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 402/2017
(Bhagwan & Ors. Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that presently 6 posts in the Class-III category are vacant.

3. In the circumstances, the concerned respondents are directed to hold a meeting of the Departmental Promotion Committee and carry the exercise of promotion of the present applicants as per the due procedure, law and according to their merit and seniority, and report compliance thereof on 9.11.2017 to the Tribunal.

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

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 427/2017
(Kiran Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri N.Y. Kingaonkar, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that he will amend the O.A. within a period of 2 days. He is permitted to do so.

3. In the circumstances, the matter is removed from the board for time being, with a liberty to circulate the O.A. after amendment is carried out.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**MA 277/2015 WITH O.A. 419/2014
(Kashinath Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

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 23.8.2017 learned Advocate for the applicant had made a statement that the applicant has died and, therefore, he sought time to take further steps in the matter.

3. In view of absence of learned Advocate for the applicant, the M.A. & O.A. both stand dismissed with no order as to costs.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**MA 420/2015 IN OA 420/2014
(Manik Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 13.11.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**MA 110/2016 WITH MA 287/2015 IN O.A. 444/2014
(Shaikh Tajoddin & Ors. Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri S.P. Salgar, learned Advocate holding for Shri S.S. Gangakhedkar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The present M.A. has been filed by the applicants for restoration of M.A. no. 287/2015, which was dismissed in default by the order dtd. 12.2.2016.

3. The said M.A. no. 287/2015 was filed by the applicants for restoration of O.A. no. 444/2014, which was dismissed in default by the Tribunal vide order dtd. 27.3.2015.

4. In the circumstances, the present M.A. no. 110/2016 stands allowed and disposed of with no order as to costs and the M.A. no. 287/2015 stands restored to its original file.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. NO. 05/2017
(Bhanudas R. Pund Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

**ORDER ON APPLICATION DTD. 28.9.2017
FOR SPEAKING TO MINUTES**

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

2. The present application for speaking to minutes is moved by the learned Advocate for the applicant for some correction in the title clause of judgment dtd. 16.8.2017 delivered in O.A. no. 5/2017 & Ors.

3. The learned Advocate for the applicant submits that in the title clause of judgment dtd. 16.8.2017 in O.A. no. 5/2017 the address of res. no. 3 is mentioned as "The Education Officer (Continuing Education), Zilla Parishad, Latur,

Dist. Latur” instead of **“The Education Officer (Continuing Education), Zilla Parishad, Nanded, Dist. Nanded”**.

4. He further submits that by the earlier order dtd. 22.9.2017 passed on the application for speaking to minutes dtd. 22.9.2019, in advertently in para 4 of the said order, the Tribunal has mentioned that the address of res. no. 3 in the title clause of the O.A. no. 5/2017 be corrected as ‘Latur’ instead of ‘Nanded’. In view of the said direction, the Registrar of the Tribunal has carried out the necessary correction in the title clause of the O.A. no. 5/2017. In fact the said correction was required to be carried out in the title clause of the judgment only.

5. In the circumstances, the Registrar of the Tribunal is now directed to correct the title clause of judgment dtd. 16.8.2017 of O.A. no. 5/2017 and title clause of O.A. no. 5/2017 itself as under :-

**“Res. no. 3 - The Education Officer
(Continuing Education), Zilla Parishad,
Nanded, Dist. Nanded”.**

6. Accordingly the speaking to minutes application stands disposed of.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**MA 426/2016 IN OA ST. 1824/2016
(Krishna Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant seeks time to file application for amendment. At his request, S.O. to 6.111.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**MA 426/2016 IN OA ST. 1824/2016
(Krishna Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant seeks time to file application for amendment. At his request, S.O. to 7.11.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. 533/2013
(Shashikant Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent nos. 4 to 10.

2. After hearing both the sides, it appears that the decision on merit by the Division Bench is required in the present matter.

3. In the circumstances, the O.A. is removed from the board for time being with a direction to the Office to place the matter before the Division Bench as and when it is available.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. 680/2013
(Vilas Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondents, is present.

2. Reading of the matter would show that the decision on merit by the Division Bench is required.

3. In the circumstances, the O.A. is removed from the board for time being with a direction to the Office to place the same before the Division Bench as and when it is available.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. 531/2014
(Prashant Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. Smt. Khan Meraj, learned Advocate holding for Shti Byas, learned Advocate for the applicant seeks time to take instructions from her senior. At her request, S.O. to 8.11.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**MA ST. 1301/2017 WITH O.A. ST. 1302/2014
(Ashvamegh & Ors. Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. The learned Advocate, on instructions, submits that the applicants wish to withdraw the present M.A. & O.A., with liberty to file fresh on the same ground.

3. In the circumstances, the M.A. & O.A. both stand disposed of as withdrawn without any order as to costs, with liberty to the applicants to file fresh M.A. & O.A. for the same ground.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**MA 381/2017 IN O.A. ST. 1169/2017
(Sharad & Ors. Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. For the reasons stated in the M.A., the same is allowed and disposed of without any order as to costs and the applicants are permitted to sue jointly, subject to payment of requisite court fees, if any.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**O.A. ST. 1169/2017
(Sharad & Ors. Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents in the present O.A., returnable on 9.11.2017.

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

4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is 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 question 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. S.O. to 9.11.2017.

8. The learned Advocate for the applicants is at liberty to take out duplicate copy of G.R. dtd. 1.4.2010. He shall correct the pagination accordingly.

9. Steno copy & hamdast allowed to both the sides.

VICE CHAIRMAN.

ARJ ORAL ORDERS 28.9.2017

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

**ORIGINAL APPLICATION NO.693/2017.
(Shri Y. S. Mulay V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M. T. JOSHI, V. C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. Heard both sides. No short affidavit is required.

3. Issue notices to the respondents, returnable on 09.10.2017.

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

5. 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.

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. Steno copy and humdast allowed to both sides.

9. S.O. to 09.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 28-09-2017

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M. T. JOSHI, V. C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 07.11.2017.

3. Tribunal may take the case for final disposal at this stage 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.

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. Reading of the impugned communication (page 97) would show that, since the present applicant could not fulfill the criteria attending 40% of the drill while he was in Home Guard, his appointment was cancelled. As per the said communication the

same is done in view of the Circular issued by the General Commandant, Home guard dated 05.08.2015 which specifies that, a certificate of completion of 3 years as a Home Guard would be given only if such condition is fulfilled. This certificate qualifies Home Guard for appointment as a Police Constable.

4. The learned Advocate for the applicant point towards the communication dated 28.09.2015 (page 52) issued by the District General Commandant, Home Guard that, many a time the record of attendance of the drill is not kept regularly and therefore, exact percentage of the attendance cannot be obtained correctly.

5. In view of the above fact without going into merit of the case presently interim protection in terms of prayer clause "a" (page 15) is hereby granted, until further orders.

The respondents no.4 & 6 are directed to file the table of attendance of the present applicant for drills while he was serving as a Home Guard, which according to them would indicate that, the present applicant could not fulfill the criteria of 40% attendance along with their affidavit in reply.

6. S.O. to 07.11.2017.

7. Steno copy and Hamdust allowed to both sides.

VICE CHAIRMAN.

ATP ORAL ORDERS 28-09-2017

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

**ORIGINAL APPLICATION St.No.1429/17.
(Smt M. G. Dhulekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M. T. JOSHI, V. C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant submits that, during course of the day the employee junior to the present applicant would be as party Respondent no.4. The necessary correction be carried. Upon carrying correction, issue notices to all the respondents, returnable on 07.11.2017.

3. Tribunal may take the case for final disposal at this stage 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,alongwith

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. Steno copy and humdast allowed to both sides.

8. S.O. to 07.11.2017.

VICE CHAIRMAN.

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

**ORIGINAL APPLICATION NO.689/2015.
(Dr. S. B. Tambe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M. T. JOSHI, V. C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Miss Ashlesha Raut learned Advocate holding for Shri S. B. Talekar, learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for respondents.

2. The learned C.P.O. files short affidavit of Respondent no.2. The same is accepted. Copy be served on other side.

3. S.O. to 01.11.2017 for hearing on admission.

VICE CHAIRMAN.

ATP ORAL ORDERS 28-09-2017

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

**ORIGINAL APPLICATION NO.664/2016.
(Shri S. W. Asole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M. T. JOSHI, V. C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

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

2. The learned P.O. submits that during course of the day reply would be filed. Copy be served on other side.

3. S.O. to 08.11.2017 for hearing on admission.

VICE CHAIRMAN.

ATP ORAL ORDERS 28-09-2017

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

O.A. Nos. 07 & 65 of 2016.

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M. T. JOSHI, V. C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri H. P. Jadhav learned Advocate for the applicants in both the matters and Shri I. S. Thorat learned Presenting Officer for respondents in both the matters.

2. The learned P.O. seeks time to file reply to the amended O.A. As per his request, S.O. to 07.11.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 28-09-2017

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

- 1) MA 397/17 IN CP ST.1338/17 IN OA 292/16.
- 2) MA 398/17 IN CP ST.1340/17 IN OA 295/16.
- 3) MA 399/17 IN CP ST.1342/17 IN OA 294/16.
- 4) MA 400/17 IN CP ST.1344/17 IN OA 290/16.
- 5) MA 401/17 IN CP ST.1347/17 IN OA 288/16.
- 6) MA 402/17 IN CP ST.1349/17 IN OA 298/16.
- 7) MA 403/17 IN CP ST.1351/17 IN OA 299/16.
- 8) MA 404/17 IN CP ST.1353/17 IN OA 287/16.

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M. T. JOSHI, V. C.

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri A. D. Gadekar learned Advocate for the applicants in all the matters and S/Shri V. R. Bhumkar, D. R. Patil, Smt. D.S. Deshpande, S/Shri N. U. Yadav, M. P. Gude, I. S. Thorat, Smt. R. S. Deshmukh and Shri S. K. Shirse, learned Presenting Officers for the respective respondents in respective matters.

2. Issue notices to the respondents, returnable on 30th October, 2017.

3. S.O. to 30.10.2017.

VICE CHAIRMAN.

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

**ORIGINAL APPLICATION NO.81/2013.
(Shri A. A. Hole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M. T. JOSHI, V. C.

(This matter is placed before the Single
Bench due to non-availability of Division
Bench.)

DATE : 28.09.2017.

ORAL ORDER :

Heard Miss Ashlesha Raut learned
Advocate holding for Shri S. B. Talekar, learned
Advocate for the applicant and Shri M. P. Gude,
learned Presenting Officer for respondents.

2. Miss Ashlesha Raut learned Advocate
holding for Shri S. B. Talekar, learned Advocate
for the applicant seeks time to file rejoinder. At
her request, S.O. to 07.11.2017 for filing
rejoinder.

VICE CHAIRMAN.

ATP ORAL ORDERS 28-09-2017

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

**M.A.No.395/2017 IN O.A.St.No.1438/2017
(Shri Mohammad Suleman Gani V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that there is delay of 18 years in filing the present case and he would make submissions that the said delay also can be condoned on the ground that the present applicant is a senior citizen and in the interest of justice the delay can be condoned.

3. On his request S.O. to 02-11-2017.

VICE CHAIRMAN

YUK ORAL ORDER 28-09-2017 VC F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.344/2017
(Farida Attar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri D.P.Sathe learned Advocate holding for Shri N.L.Choudhary learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 12-10-2017.

4. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 28-09-2017 VC F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.204/2017
(Shri Balasaheb Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

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

2. Learned P.O. files affidavit in reply on behalf of the respondent. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 02-11-2017.

VICE CHAIRMAN

YUK ORAL ORDER 28-09-2017 VC F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.504/2017
(Shri Madhukar Dusane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

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

2. Learned P.O. files affidavit in reply on behalf of the respondent nos.2 and 3. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant submits that case of the present applicant is similar to the case which has been decided by the Tribunal on 2nd August, 2017 bearing O.A.No.514/2017. He submits that present applicant would be satisfied if similar direction to decide the representation of the applicant dated 05.08.2015 (paper book pages 21 to 23 of the O.A.) is issued to the respondent no.1. He further submits that the said representation was sent through proper channel to the respondent no.1.

4. In the circumstances, the original application is disposed of without any order as to costs with a direction to respondent no.1 to decide the representation of the applicant (supra) at the earliest

and in any case within a period of 4 months from the date of this order. In case the said representation cannot be located in the office, copy of the representation of the applicant (paper book pages 21 to 23 of the O.A.) be treated as a representation of the applicant.

5. Steno copy / authenticated copy be supplied to the learned Presenting Officer for the respondents.

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.610/2017
(Kamalbai Hatte & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant states that notice is not served on respondent no.5, therefore, he prays for issuance of fresh notice to respondent no.5.

3. Hence, issue fresh notice to respondent no.5, returnable on 08-11-2017.

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

5. Applicant is authorized and directed to serve on respondent no.5 intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondent is 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. S.O.to 08-11-2017.

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

VICE CHAIRMAN

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

**M.A.No.266/2017 IN O.A.St.No.517/2017
(Shri Ratanrao Shejwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for leave to correct address of respondent no.6. Leave as prayed for is hereby granted. Necessary amendment be carried out during the course of day.

3. Upon carrying the amendment, issue fresh notice to respondent no.6, returnable on 08-11-2017.

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

5. Applicant is authorized and directed to serve on respondent no.6 intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondent is 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. S.O.to 08-11-2017.

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

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.324/2017
(Dr. Vilas Vikhe Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri Pargane learned Advocate holdig for Shri Gajanan Kadam learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for respondent nos.1 to 4, Shri S.R.Dheple learned Advocate for respondent nos.5 & 6 and Shri J.S.Deshmukh learned Advocate for respondent nos.8. None appears for respondent no.7.

2. At the request of learned CPO, S.O. to 09-10-2017, for filing affidavit in reply on behalf of the respondents.

VICE CHAIRMAN

YUK ORAL ORDER 28-09-2017 VC F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.328/2017
(Sau. Megha Shevgan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri K.M.Nagarkar learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for respondent nos.1 to 3 and Shri S.R.Dheple learned Advocate for respondent no.4.

2. At the request of learned PO, S.O. to 09-10-2017, for filing affidavit in reply on behalf of the respondents.

VICE CHAIRMAN

YUK ORAL ORDER 28-09-2017 VC F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.348/2017
(Dr. Prashant Ghodke Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri R.R.Bangar learned Advocate holding for Shri I.D.Maniyar learned Advocate for the applicant, Shri I.S.Thorat learned Presenting Officer for respondent nos.1 to 4 and Shri S.R.Dheple learned Advocate for respondent no.5.

2. At the request of learned PO, S.O. to 09-10-2017, for filing affidavit in reply on behalf of the respondents.

VICE CHAIRMAN

YUK ORAL ORDER 28-09-2017 VC F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.433/2017
(Shri Baswantsing Rajput V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 28.09.2017.

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.2 to 4. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. submits that affidavit in reply of respondent no.1 is not necessary.

4. S.O. to 07-11-2017 for hearing on admission.

VICE CHAIRMAN

YUK ORAL ORDER 28-09-2017 VC F