

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

**O.A. NOS. 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 ALL OF 2019
(Dr. Balaji M. Mirkute & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicants in all these O.As. and S/shri M.S. Mahajan and S.K. Shirse, learned Chief Presenting Officer and Presenting Officer for respective respondents in respective O.As.

2. At the request of learned Advocate for the applicants, S.O. to 31.01.2019

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 48/2019
(Shri Dipak G. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri G.J. Kore, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 06.03.2019.

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

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

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

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

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

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

8. S.O. to 06.03.2019.

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

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 73/2019
(Shri Prasad S. Bhise V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 11.03.2019.

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

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

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

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

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

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

8. S.O. to 11.03.2019.

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

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 75/2019
(Shri Bharat P. Bargaje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.02.2019.

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

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

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

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

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

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

8. Without filing any detailed affidavit in reply, the concerned respondents are directed to go through the G.R. dated 26.08.2014 (Annexure A-1, page No. 10) and more particularly at page No. 13 which would show that the decision is required to be taken by a committee. Therefore the concerned respondents are directed to verify as to whether the impugned decision dated 22.10.2018 (Annexure A-4, page no. 25) is in fact taken by a committee. If it is found that the decision was not taken by the committee, then the respondents are directed to take corrective steps, if any and to file report about the same on the next date. If for any valid reason, the respondents come to the conclusion that no corrective steps can be taken, then they shall file a short affidavit explaining the reasons therefor on the next date.

9. S.O. to 27.02.2019.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 938/2018
(Shri Pradip S. Langade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Smt. Pooja V. Langhe, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that instead of issuing notices to the respondents, the applicant would be satisfied only issuing direction to the concerned respondents to decide the representations dated 11.10.2018 and 23.10.2018 (Page Nos. 15 and 16).

3. Accordingly, O.A. is disposed of without any order as to costs with a direction to the concerned respondents to decide the aforesaid representations filed by the present applicant, according to law and G.R. and communicate the decision thereon to the applicant in writing within a period of four months from the date of this order.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 832/2017
(Shri Ramkrishan K. Mhaske & Ano. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri D.B. Bhange, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**O.A. No. 345/2018 with Caveat 41/2018 with M.A. No. 184/2018
(Dr. Shivaji J. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri A.S. Savale, learned Advocate for respondent Nos. 3 and 4. Shri S.B. Bhosale, learned Advocate for respondent No. 5 (Applicant in M.A), **absent**.

2. In view of the fact that the transfer order is challenged, S.O. to 12.02.2019 for hearing as a last chance.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**M.A. No. 43/2019 in O.A. No. 668/2018
(Smt. Sangita S. Telang V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

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

2. In view of the fact that the developments those have been taken place during the pendency of the O.A. are sought to be pleaded by the applicant, the amendment application is hereby allowed. The applicant is directed to carry out the proposed amendment within a period of one week in the office of this Tribunal and thereafter, the O.A. may be circulated for issuing notice/s to the added respondent/s.

3. Accordingly, the M.A. No. 43/2019 is hereby disposed of without any order as to costs.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 25.02.2019 either for hearing or for filing rejoinder affidavit.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 105/2017
(Shri Nagesh S. Mapari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri G.K. Kshirsagar, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 and Shri I.D. Maniyar, learned Advocate holding for Shri S.G. Kawade, learned Advocate for respondent Nos. 4, 5 & 10. None appears for remaining respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08.02.2019.

MEMBER (A)

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 933/2018
(Shri Gajanan M. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 06.03.2019 for filing affidavit in reply.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 779/2018
(Shri Shaikh Javed Shaikh Mohammad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 06.03.2019 for filing affidavit in reply.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 828/2018
(Shri Subhash D. Langade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Smt. Pooja V. Langhe, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 06.03.2019 for hearing.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 848/2018
(Shri Deepak D. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Ms. Rebekah Daniel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3.

2. Learned Advocate Shri S.K. Shaikh, has submits that he has received instructions from the respondent No. 4 to appear on his behalf and he has submitted that **VAKALATNAMA** would be filed during the course of the day.

3. At the request of learned Presenting Officer and learned Advocate for respondent No. 4, S.O. to 25.02.2019 for filing affidavit in reply.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 932/2018
(Shri Chandra R. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 21.02.2019 for filing affidavit in reply.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 711/2018
(Shri Sanjay N. Nade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 11.03.2019 for filing affidavit in reply.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 460/2018
(Shri Indurao B. Sarode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri V.Y. Patil, learned Advocate for respondent No. 4.

2. Learned Advocate for respondent No. 4 has filed affidavit in reply. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 14.02.2019 for hearing.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 339/2018
(Shri Shrikrushna M. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri V.Y. Patil, 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 14.02.2019. Interim relief granted earlier to continue till then.

3. The present matter be tagged with O.A. No. 342/2018

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 342/2018
(Shri Sanjay K. Barote V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

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

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

3. S.O. to 14.02.2019.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 174/2017
(Dr. Madhav F. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

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

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

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 389/2018
(Miss. Archana D. Lathkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

Heard Shri A.M. Nagarkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 70/2017
(Shri Rajaram S. Shendge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN.

DATE : 29.01.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 08.03.2019.

VICE CHAIRMAN

kpb ORAL ORDER 29.01.2019.

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

**ORIGINAL APPLICATION NO. 743/2016
(Shri Rakesh D. Barela V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that in fact the village of the present applicant is Shenpani Pada which is a part of Group Grampanchayat of village Vaijapur. However, the said village is not notified in the gazette published by the Government of India and village 'Vangaon' is gazetted therein. Process for making rectification in that regard is going on for inclusion of village Shenpani in the Group Grampanchayat of village Vaijapur.

3. At present no fault can be found in the selection process on the basis of Government of India's gazette. In the circumstances, the present O.A. is disposed of without any order as to costs with liberty to the applicant to participate in the next selection process as and when rectification in the Government of India's gazette is made or otherwise.

MEMBER (A)

VICE CHAIRMAN

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 12.2.2019 for hearing along with similar matter i.e. O.A. no. 154/2017.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29-01-2019

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

**ORIGINAL APPLICATION NOS. 485, 486 AND 556/2018
(Shri (Dr.) Mahesh B. Phad & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicants, S.O. to 6.2.2019 for hearing along with similar matters.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 682/2018
(Shri Rahul S. Shirsath V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed rejoinder. It is taken on record and copy thereof has been served upon the learned P.O. In the circumstances, S.O. to 25.2.2019 for filing sur-rejoinder, if any, and also for hearing.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 396/2018 IN O.A. 661/2017
(Shri Shailendra S. Kapse V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Shri M.R. Khutwad, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. files on record copy of communication dtd. 28.1.2019 along with some documents received to her from the concerned respondent, which is taken on record and marked as document 'X' for the purpose of identification and copy thereof also supplied to the learned Advocate for the applicant. It is stated in the said communication that the statements made by the applicant in the present M.A. for amendment are correct and permission to change the name may be granted.

3. In the circumstances, the present M.A. is allowed and disposed of without any order as to costs and the applicant is permitted to amend the O.A. accordingly. The necessary amendment in the O.A. be carried out in the office, within a period of one week and thereafter the O.A. be circulated for further steps.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 438/2018 IN O.A. 673/2014
(Smt. Sapna N. Chinnurkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Shri V.B. Narke, learned Advocate holding for Shri Rajendra Godbole, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that while the res. no. 3 – Shri Pradip Akaram Shende – has secured less marks in aggregate than the applicant, the learned P.O. submits that as the present applicant has secured 40% marks in oral test, she was not selected. Copy of the advertisement annexed with the affidavit in reply at Exh. R-3 page 65 and more particularly the clause 3.10.3 thereof would show that there is a condition that the candidate, who secured more than 40% marks in oral test would be recommended. As against this the rules of procedure notified in the Gazette by the M.P.S.C. and more particularly rule 9 (ix) of the Maharashtra Public Service Commission Rules of Procedure, 2014 (page 65) thereof would show that the candidate should secure at least 41% marks in oral examination. The advertisement as referred above would show that

the marks for oral test were 100 marks and as against this Annex. A. 5 page 23 i.e. select list would show that marks given in oral test were 50 marks.

3. Learned P.O. seeks time to take instructions on the above anomaly and file additional reply of res. no. 2 in this regard. At her request, S.O. to 21.2.2019 for filing additional reply on the above line.

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

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 126/2018
(Dr. Shukracharya G. Dudhal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicant and Shri Ajay S. Deshpande, learned special Counsel for the respondents.

2. Learned Advocate for the applicant files on record photo copy of Government of Maharashtra's Gazette dtd. 5.7.1984, which is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned Special Counsel for the respondents. Rule 10 of the said Gazette would show that the persons appointed by nomination to the post shall be appointed on probation for two years. It also appears that upon completion of two years the concerned Officer would automatically complete the probation period and thereafter there could not be any simple discharge.

3. Shri Deshpande, learned special Counsel for the respondents submits that he would take instructions from the concerned respondents on the line of above Government Gazette and would see whether any corrective steps in this regard can be taken. At his

request, S.O. to 12.2.2019 for above compliance from the side of respondents.

4. Steno copy allowed for the use of learned special Counsel.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 267, 280 AND 281/2018
(Dr. Shrikant C. Pathak & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for himself and holding for Shri Shamsunder B. Patil, learned Advocate for the applicants in respective cases and Shri V.R. Bhumkar, learned special Counsel for the respondents in all these cases.

2. Certain query regarding principle of doctrine of *De facto* put to both the sides. At their request, S.O. to 5.2.2019 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. 636/2015
(Shri (Dr.) Mukarram Ahmed Khan Gulak Gauskhan V/s. State of
Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the concerned Caste Scrutiny Committee has invalidated the caste claim of the present applicant, however, the said decision is challenged by the applicant before the Hon'ble High Court and interim relief is granted in the said matter.

3. In the circumstances, the present O.A. is removed from the board and it be placed on board upon the decision in the above matter is delivered by the Hon'ble High Court. Both the sides are at liberty to circulate the matter as and when the exigency arises.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 763 AND 750/2015
(Smt. Laxmichaya A. Jahagirdar & Anr. V/s. State of Maharashtra &
Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Ms. Rebekah Daniel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in both the cases and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in both the cases.

2. Learned P.O. files on record copy of communication dtd. 31.10.2018 received to her from the concerned respondent in compliance of the order dtd. 19.9.2018, which is taken on record and marked as document 'X' for the purpose of identification with copy thereof to the learned Advocate for the applicants. Learned Advocate for the applicants submits that she would make submissions as regards the said communication i.e. document 'X' on the next date. At her request, S.O. to 4.3.2019 for making submissions on the above line and also for hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 713/2017
(Shri Venkat D. Mundhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned P.O. seeks time for filing amendment application on the line of order dtd. 1.12.2018. It is to be noted that on 1.12.2018 itself this Tribunal has added some unpleasant facts and still the concerned respondents seek time for filing amendment application for amending the earlier reply of res. nos. 2 & 3.

3. In the circumstances, as a last chance, S.O. to 13.2.2019 for filing amendment application, if any, for amending the earlier reply of res. nos. 2 & 3 with a forewarning that in case no such action in that regard is taken, the Tribunal would impose heavy costs on the concerned respondents personally or also take strict action against the concerned respondents.

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29-01-2019

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

**ORIGINAL APPLICATION NOS. 574 AND 575/2015
(Shri Ajay V. Kolhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Considering the submissions made by Shri K.G. Salunke, learned Advocate on behalf of Shri A.D. Gadekar, learned Advocate on 22.1.2019, office to issue common notice to the applicant in both the matters by Registered Post Acknowledgement Due, returnable on 5.3.2019.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 29-01-2019

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

**ORIGINAL APPLICATION NO. 236 OF 2018
(Shri Krushnalal R. Gule Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Presenting Officer submits that he would take instructions from the concerned respondents as to why the Circular dated 5.7.2017, Annexure 'A' is not followed by them while selecting the candidates for deputation and may file additional affidavit in reply. At his request, S.O. to 12.02.2019.

3. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**ORIGINAL APPLICATION NO. 226 OF 2017
(Shri Baliram S. Kakade Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Presenting Officer submits that she would seek instructions from Mr. O.S. Sadhavani, Commissioner, Food & Drugs Administration, M.S., Mumbai, as regards acceptance of notice of voluntary retirement of the applicant and thereafter raising objections after six months. At her request, S.O. to 01.03.2019 for taking instructions.

3. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**ORIGINAL APPLICATION NO. 138 OF 2018
(Shri Tushar B. Chikhale Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Shri G.B. Kingre, learned Advocate holding for Shri H.K. Munde, 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 14.03.2019 for filing affidavit in rejoinder.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**ORIGINAL APPLICATION NO. 566 OF 2017
(Shri Rajendra G. Mane Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Shri M.R. Khutwad, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 06.03.2019 for filing affidavit in rejoinder.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**O.A.NOS. 103 & 104 BOTH OF 2017
(Shri Navnath A. Matsagar & Anr. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants in both these cases and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Admit.

3. The present case be placed for final hearing in due course of time.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**O.A.NOS. 385, 386 & 691 ALL OF 2018
(Shri Kalyan T. Gade & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Presenting Officer submits that she has received the instructions from the respondents that the corrective steps are taken. However, definite instructions are awaited. At her request, S.O. to 30.01.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**ORIGINAL APPLICATION NO. 871 OF 2018
(Dr. Chandrakant S. Shete Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. In the circumstances, S.O. to 12.03.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**ORIGINAL APPLICATION NO. 618 OF 2018
(Shri Sharad D. Raut Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. In the circumstances, S.O. to 21.02.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**ORIGINAL APPLICATION NO. 476 OF 2018
(Smt. Aasha S. Khairnar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 13.02.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**C.P.NO. 82/2018 IN O.A.NO. 157/2015
(Shri Ashok B. Shinde & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Smt. S.R. Awad, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed additional affidavit along with Annexures, which would show that the order in question passed in the Original Application No. 157/2017 is complied with. The additional affidavit is accepted and taken on record.

3. Accepting the statement made in the aforesaid additional affidavit, the present contempt petition is disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**M.A.ST.1814/2018 IN O.A.ST.1815/2018
(Shri Kamalakar G. Joshi Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Submission of the learned Advocate for the applicant, as well as, application would show that there is delay of about 32 years in filing the accompanying Original Application. The only reason given in the present application by the applicant that in the year 1985 he was ill and going through some disease. However, there is no explanation as to why thereafter the present applicant failed to file the accompanying Original Application. In the circumstances, for want of any explanation regarding condonation of delay and sufficient cause, the present M.A. for condonation of delay is hereby rejected. Consequently, the accompanying O.A. also stands disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**ORIGINAL APPLICATION NO. 78 OF 2019
(Dr. Mamata R. Chincholikar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to place on record the copy of judgment of this Tribunal to show that the facts of the case decided by the present Tribunal and facts involved in the present case are same. At his request, S.O. to 01.02.2019 for compliance or for filing copy of the judgment.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**M.A.NO. 33/2019 IN O.A.NO. 150/2019
(Shri Santosh B. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicants submits that one judgment is passed by the Nagpur Bench of this Tribunal on the issue involved in the present O.A. At his request, S.O. to 06.02.2019 filing the copy of the said decision.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 29.012019-HDD

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

**ORIGINAL APPLICATION NO. 43 OF 2019
(Shri Sharad B. Tote Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.01.2019

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present case is not on today's board. Production is allowed.

3. Learned Advocate for the applicant seeks permission of this Tribunal to amend the address of respondent No. 3.

4. Permission is hereby granted. The applicant shall amend the address of respondent No. 3 in the office of this Tribunal.

5. Upon correction in the address of respondent No. 3, issue fresh notice to the respondent No. 3 on the corrected address, as already directed by this Tribunal vide its order dated 21.01.2019, returnable on 11.02.2019.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION No.667/2017
(Sandip K. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

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

2. Heard both sides. The issue involved in the present Original Application is as to whether the Applicant is resident of Village Ghanegaon-Tanda.

3. Exh. 'A-2', page no.19 is a certified copy of the assessment list of the Grampanchayat which would show that the Applicant is in fact resident of Village Ghanegaon Tanda as his father possess immovable property at Village Ghanegaon-Tanda. Thereafter, documents filed by the Respondent No.2 which is at Annexure -2, page no.54 is the certified copy issued by the Gramsevak, which would show that the present Applicant is having the proper residence at Village Ghanegaon.

4. Learned Advocate for the Applicant submits that in fact the Applicant was placed before the S.D.O. Sillod about his residential proof of Village Ghanegaon-Tanda where the Police Patil is to be appointed.

5. In view of the contradiction between the certified copy of the assessment list and certificate issued by the Gramsevak, learned P.O. for the Respondent submits that he would take instructions from the concerned Respondents regarding these two documents and if necessary file affidavit-in-reply. On his request, S.O. to 1.03.2019 for compliance on the above line.

6. Steno copy and Hamdast is allowed.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

Shri Shantaram R. Dheple, learned Advocate for the applicant has filed a leave note.

Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. In view of the leave note of the Advocate for the Applicant, S.O. to 13.03.2019.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

**ORIGINAL APPLICATION No.262/2016
(Dagdu W. Bansode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

Heard Shri G.R. Gotiwale, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Heard both sides. Upon hearing it appears that since the Respondents had not taken any decision for payment of interest on delayed payment of pensionary benefits to the Applicant, though the representation is made by the Applicant as can be seen from the copy of Annexure 'A-4', page no.13 of Paper Book, the Original Application is disposed of without any order as to costs with the direction to the Respondents to take decision on the said representation within three months from the date of this order.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

**MISC. APPLICATION NO.40/2019
IN
ORIGINAL APPLICATION No.625/2018
(Subhash G. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned Advocate for the Applicant submits that further developments which have taken place during the pendency of the proceeding are sought to be brought on record and therefore, he prayed to amend the Original Application. Misc. Application No.40/2019 is allowed with no order as to costs.

3. The Applicant to carry out the amendment as proposed within one week from today. Thereafter, the Original Application may be circulated. Thereupon, the Respondents, if required, file affidavit-in-reply to the amended O.A. on or before next date with the copy to the other side.

4. Original Application No.625/2018 be placed on 27.3.2019.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

MISC. APPLICATION NO.494/2018

IN

ORIGINAL APPLICATION ST. NO.929/2018

(Syed Muktar Syed Sikandar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned P.O. for the Respondents files affidavit-in-reply on behalf of the Respondent No.2 in Misc. Application. The same is taken on record and copy thereof has been served on the Applicant.

3. Present Misc. application has been filed by the Applicant for condonation of delay caused in filing Original Application.

4. For the reasons stated in the Misc. Application No.494/2018, the delay of 2 month and 15 days caused in filing Original Application is condoned. The Misc. Application No.494/2018 is allowed with no order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

**ORIGINAL APPLICATION ST. NO.929/2018
(Syed Muktar Syed Sikandar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

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

2. Issue notice returnable on 13-03-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be 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 13.03.2019.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

**MISC. APPLICATION NO.480/2018
IN
ORIGINAL APPLICATION ST. NO.1939/2018
(Paraji G. Jorule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the Applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos.1 to 3 and Shri Rajendra M. Lone, learned Advocate for the Respondent No.4.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply in Misc. Application. Time granted.

3. S.O. to 08.03.2019.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

MISC. APPLICATION NO.197/2018

IN

ORIGINAL APPLICATION ST. NO.945/2018

(Musaddiq Ahmed Madni Masood Ahmed Madni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

Heard Shri Jayant B. Choudhary, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. S.O. to 07.03.2019 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

**MISC. APPLICATION NO.134/2018
IN
ORIGINAL APPLICATION ST. NO.495/2018
(Kashinath G. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

Heard Smt. Preeti R. Wankhade, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Present Misc. application has been filed by the Applicant for condonation of delay caused in filing Original Application.

3. For the reasons stated in the Misc. Application No.134/2018, the delay of 131 days caused in filing Original Application St.No.495/2018 is condoned. The Misc. Application No.134/2018 is allowed with no order as to costs.

4. Office to registrar the O.A. on due scrutiny.

5. Learned Advocate for the Applicant is at liberty to circulate the O.A.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

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

2. Learned P.O. for the Respondents submits that there are no instructions from the concerned Respondents on the line of the directions issued on 28.11.2018 by this Tribunal. It is noted that on 15.1.2019, at the request of the learned P.O. for the Respondents, time was granted to comply with the order dated 28.11.2018.

3. It thus appears that the concerned Respondents are totally neglecting the directions of this Tribunal which would effect the multiplicity of litigations.

4. In these circumstances, solely at the request of the learned P.O. for the Respondents for compliance of order dated 28.11.2018, time is granted with forewarning that in case, directions are not complied with on the next date, heavy costs would be imposed upon the concerned Respondents, personally or any strict action would be taken as may be deemed fit.

5. In this circumstance, S.O. to 6.03.2019.

6. Steno copy and Hamdast is allowed.

VICE CHAIRMAN

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

MISC. APPLICATION NO.41/2019

IN

MISC. APPLICATION ST.NO.183/2019

IN

MISC. APPLICATION NO.165/18

IN

ORIGINAL APPLICATION ST. No.606/2018

(Shital S. Banale @ Shital w/o Y. Honrao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

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

2. This is an application filed by the Applicant for condonation of delay caused in filing Misc. Application No.165/2018.

3. For the reasons stated in the Misc. Application No.41/2019, the same is allowed and disposed of without any order as to costs. The delay of 2 months and 13 days caused in filing Misc. Application No.165/2018 is hereby condoned.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

MISC. APPLICATION ST.NO.183/2019

IN

MISC. APPLICATION NO.165/18

IN

ORIGINAL APPLICATION ST. No.606/2018

(Shital S. Banale @ Shital w/o Y. Honrao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

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

2. This is an application filed by the Applicant for recalling the order dated 05.09.2018 passed by this Tribunal in application for condonation of delay.

3. For the reasons stated in the Misc. Application St. No.183/2019, the same is allowed and disposed of without any order as to costs. The order passed by this Tribunal dated 05.09.2018 is hereby recalled. The Misc. Application No.165/2018 for condonation of delay is restored to its original file.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

MISC. APPLICATION NO.165/18

IN

ORIGINAL APPLICATION ST. No.606/2018

(Shital S. Banale @ Shital w/o Y. Honrao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

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

2. Issue notice returnable on 13-03-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be 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 13.03.2019.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019

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

**ORIGINAL APPLICATION ST. NO.943/2018
(Suresh K. Bharti V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

DATE : 29.01.2019

ORAL ORDER :

Heard Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri Sujeet D. Joshi, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply. Time granted.

3. S.O. to 6.3.2019.

VICE CHAIRMAN

SAS ORAL ORDER 29-01-2019