

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

ORIGINAL APPLICATION NO.1046/2019
(Ramdas Shewale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 30.11.2019

ORAL ORDER :

Heard Shri G.K.Kshirsagar learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant does not want to press the prayer clause 10(B) and he wants to delete the same. Therefore, he prayed for leave to amend the O.A.

3. Leave as prayed for is granted. Applicant to amend the O.A. forthwith.

4. After amendment is carried out, issue notices to the respondents, returnable on 09-01-2020.

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

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

7. 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.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

9. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

10. S.O. to 09-01-2020.

11. Steno copy and hamdust is allowed to both the sides.

ACTING CHAIRMAN

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

M.A.NO.570/2019 IN O.A.NO.632/2018
(Vishnu Ghuge V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 30.11.2019

ORAL ORDER :

Heard Shri D.T.Devane learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant states that the applicant does not want to proceed with the M.A. as well as O.A. and wants to withdraw the same. Therefore, he has prayed for leave of the Tribunal to withdraw the M.A. & O.A. with liberty to file fresh O.A.

3. In view of the submission of the learned Advocate for the applicant, leave as prayed for is granted. M.A. and O.A. both are disposed of as withdrawn with liberty to the applicant to file fresh O.A. There shall be no order as to costs.

ACTING CHAIRMAN

YUK ORAL ORDER 30.11.2019

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

**M.A.NO.571/2019 IN O.A.NO.633/2018
(Ratan Narwade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 30.11.2019

ORAL ORDER :

Heard Shri D.T.Devane learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant states that the applicant does not want to proceed with the M.A. as well as O.A. and wants to withdraw the same. Therefore, he has prayed for leave of the Tribunal to withdraw the M.A. & O.A. with liberty to file fresh O.A.

3. In view of the submission of the learned Advocate for the applicant, leave as prayed for is granted. M.A. and O.A. both are disposed of as withdrawn with liberty to the applicant to file fresh O.A. There shall be no order as to costs.

ACTING CHAIRMAN

YUK ORAL ORDER 30.11.2019

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

ORIGINAL APPLICATION NO.1037/2019
(Sambhaji Wadje V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 30.11.2019

ORAL ORDER :

Heard Shri Prashant Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.01.2020.

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 15.01.2020.

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

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO.1038/2019
(Ashok Durpade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 30.11.2019

ORAL ORDER :

Heard Shri Prashant Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.01.2020.

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 15.01.2020.

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

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO.1039/2019
(Babu Raut V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 30.11.2019

ORAL ORDER :

Heard Shri Prashant Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.01.2020.

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 15.01.2020.

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

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO.1040/2019
(Santosh Raut V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 30.11.2019

ORAL ORDER :

Heard Shri Prashant Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.01.2020.

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 15.01.2020.

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

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO.1041/2019
(Mahadev Dugane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 30.11.2019

ORAL ORDER :

Heard Shri Prashant Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.01.2020.

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 15.01.2020.

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

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO.1042/2019
(Shaikh Sujauddin V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 30.11.2019

ORAL ORDER :

Heard Shri Prashant Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.01.2020.

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 15.01.2020.

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

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO.1043/2019
(Ashok Rode V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 30.11.2019

ORAL ORDER :

Heard Shri Prashant Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.01.2020.

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 15.01.2020.

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

ACTING CHAIRMAN

**MASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**CHAMBER APPEAL NO. 25 OF 2019
(Shri Muktaji Maruti Chopde Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 3.011.2019

ORAL ORDER :

Heard Shri Kalyan V. Patil, learned Advocate for the applicant.

2. Vide order dated 19.11.2019 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 16.10.2019 the office has raised the following office objections:-

- 1) R-1 wrongly mentioned.
- 2) List of documents not filed
- 3) Detail addresses of R-3 & R-4 not given.
- 4) Delay not explained in limitation clause.
- 5) In view of Prayer Clauses 'C', Original Application appears to be barred by limitation.

3. Vide office note dated 16.11.2019 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicant and office objections not removed.

4. The learned Advocate for the applicant appeared today and undertakes to remove the office objections within reasonable period.

CHAMBER APPEAL NO. 25/2019

5. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objections in spite of repeated chances. The fact that the O.A. is filed seeking directions to the respondents to extend the benefit of exemption from passing Departmental Examination on completion of 45 years of age by the applicant and also extend the benefit of deemed date of promotion as held by the Hon'ble High Court in Writ Petition No. 3643/2009 and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the interest of justice to allow the appeal as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:

ORDER

The Chamber Appeal No. 25/2019 is allowed as the applicant undertakes to remove the office objections within a reasonable period.

(ii) Registrar of this Tribunal Bench at Aurangabad is directed to place this matter before the appropriate Bench for hearing after removing the office objections by the learned Advocate for the applicant.

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO. 722 OF 2019

WITH

CAVEAT NOS. 27 & 63 BOTH OF 2019

(Shri Gajanan B. Bansode and Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.11.2019

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent No. 1 to 4, Shri Ashish Rajkar, learned Advocate for Caveator in Caveat No. 27/2019 and Shri A.S. Deshmukh, learned Advocate for Caveator in Caveat No. 63/2019.

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

3. S.O. to 17.01.2019.

ACTING CHAIRMAN

KPB ORAL ORDERS 30.11.2019