

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

O.A. NOS. 445, 446, 447, 449, 450, 451, 452, 453, 454, 455, 456,  
457, 458, 459, 494 OF 2017 AND O.A. NOS. 113 AND 114/2018,  
M.A. 325/2017 in O.A. St. 941/2017 WITH M.A. no. 36/2019 in M.A.  
St. 82/2019 in O.A. St. 83/2019 & M.A.NO. 144/19 IN O.A.ST.400/19  
(Marathwada Van Va Samjik Vanikaran Rojandari Va Kayam Kamgar  
Karmachari Va Sarva Shramik Sanghatana & Ors. V/s. State of  
Maharashtra & Ors.)

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard S/Shri A.S. Shelke, S.S. Shinde & V.G. Pingle, learned Advocates for the respective applicants in respective cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases.

2. Learned Advocate Shri A.S. Shelke has filed rejoinder to the additional affidavit in reply filed on behalf of respondent Nos. 1 & 2 in O.A. NO. 445/2017 & Group and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Chief Presenting Officer submits that he would like to seek instructions from respondent No. 1 to file necessary sur-rejoinder, if any.

4. Hence, S.O. to 15.4.2019 for filing sur-rejoinder by the learned Chief Presenting Officer, if any.

**MEMBER (A)**

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

T.A. 11/1999 (W.P. 3251/1993)  
T.A. 12/1999 (W.P. 653/1994)  
T.A. 19/1999 (W.P. 2311/1994)  
T.A. 26/1999 (W.P. 2772/1993)  
T.A. 47/1999 (W.P. 776/1993)  
T.A. 07/1999 (W.P. 3765/1997)  
T.A. 06/2006 (W.P. 4261/1995)  
T.A. 36/2002 (W.P. 3007/1991)  
M.A. 311/2008 in T.A. 42/1999 (W.P. 1274/1991)  
T.A. 01/2005 (W.P. 812/1993)  
T.A. 17/1999 (W.P. 2791/1994)  
T.A. 35/1998 (W.P. 296/1998)  
M.A. 312/2008 in T.A. 35/1999 (W.P. 1259/1991)  
T.A. 22/1999 (W.P. 3344/1997)  
T.A. 27/1999 (W.P. 3871/1995)  
M.A. 367/2008 in T.A. 25/1999 (W.P. 3569/1993)  
M.A. 309/2008 in T.A. 24/1999 (W.P. 3607/1993)  
M.A. 306/2008 in T.A. 36/1999 (W.P. 652/1994)  
T.A. 28/1999 (W.P. 1253/1991)  
T.A. 30/1999 (W.P. 617/1994)  
T.A. 33/1999 (W.P. 3796/1997)  
T.A. 34/1999 (W.P. 3620/1997)  
T.A. 37/1999 (W.P. 1382/1994)  
T.A. 14/1999 (W.P. 3770/1997)  
T.A. 16/1999 (W.P. 1226/1991)  
T.A. 09/1999 (W.P. 3345/1997)  
T.A. 08/1999 (W.P. 1364/1992)  
T.A. 13/1999 (W.P. 777/1995)  
T.A. 10/1999 (W.P. 5254/1995)  
T.A. 20/1999 (W.P. 882/1991)  
T.A. 38/1999 (W.P. 329/1992)

(Marathwada Serva Shramik Sanghatana through its Joint Secretary  
M.S. Sonwane & Ors. V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

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

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2. At the request and by consent of both the parties, S.O. to 10.04.2019.

**MEMBER (A)**

ORAL ORDERS 30-3-2019-HDD

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

**M.A. 155/2019 IN O.A. 25/2018  
(Sachin R. Salve V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Shri M.P. Gude, learned Presenting Officer for the applicants in M.A. / respondents in O.A. and Shri A.B. Rajkar, learned Advocate holding for respondent in M.A. / applicant in O.A..

2. Shri Rajkar, learned Advocate holding for Shri Joshi, learned Advocate for the respondent in the present M.A. / applicant in O.A. states that the State has filed the present misc. application for extension of three months' time from 8.1.2019. He submits that copy of M.A. is received to him today only.

3. In the circumstances, at the request of learned Advocate for respondent in M.A. / applicant in O.A. S.O. to 23.4.2019 for filing affidavit in reply, if any, in M.A. and also for hearing of M.A.

**MEMBER (A)**

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

**C.P. 9/2019 IN O.A. 527/2012  
(Anantrao V. Saudagar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Shri Mujahed Hussain, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the present contempt petition, returnable on 29.4.2019.

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. However it may be noted that this Tribunal issued order dtd. 21.12.2016 in O.A. nos. 527, 528 & 529/2012 and the operative part thereof reads as under :-

*“8. This Tribunal by order dated 10.1.2014 in M.A. no. 97/2012 in O.A. no. 817/2011 had directed the Respondents to absorb the Applicant in that O.A. as per his seniority as and when posts from 50% absorption quota become available. In these O.As. also, if the Applicants are found eligible for appointment as C.E.A., the Respondents are directed to absorb them on the post of C.E.A., on the basis of their seniority, and as and when vacancies arise in 50% absorption quota. These O.As. are disposed of accordingly with no order as to costs.”*

9. In compliance of the order of this Tribunal the respondents have issued office order on 26.7.2017, which would show that there is no clarity about the date of effectiveness of the order. The operative part of the order of the res. nos. 2 & 3 reads as under :-

“१. सदर आदेश हे मा. महाराष्ट्र प्रशासकीय न्यायाधीकरण खंडपीठ औरंगाबाद यांचे दिनांक १०.१.२०१४, दि. ९.१२.२०१४ व दि. २१.१०.२०१६ रोजी दिलेल्या आदेशाच्या अनुसरून निर्गमित करण्यात येत आहेत.

२. परिशिष्टात नमूद केलेल्या कर्मचा-यांना स्थापत्य अभियांत्रिकी सहायक पदी पात्र दिनांकापासून (वयाची ४५ वर्षांची सूट घेतल्याच्या दिनांकापासून / सर्व्हेअर परीक्षा पास झाल्याच्या दिनांकापासून) सामावून घेतल्यानंतर या आदेशाच्या दिनांकापासून सेवा जेष्ठता धरण्यात येईल.

३. संबंधित कर्मचा-यांची स्थापत्य अभियांत्रिकी सहायक पदावर समावेशानंतरची वेतन निश्चिती शासन निर्णय क्रं. स्थ.प.अ. १२९९/(२७४)/आ(तांत्रिक) दि. ३.९.१९९९ मधील तरतुदीनुसार करण्यात येईल.”

10. Respondents to clarify in the affidavit in reply in respect of date of effectiveness of the order, on the next date.

11. S.O. to 29.4.2019.

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

**MEMBER (A)**

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

**ORIGINAL APPLICATION NO. 988/2018  
(Jayshree Y. Shinganwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

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

2. The main dispute in this case is that though the applicant was given three chances in which in camera recording her height was found 154.2 c.m., whereas the prescribed standard is 155 c.m. Applicant has relied on the height measured in O.P.D. of Lokmanya Tilak Municipal Medical College & General Hospital, Sion, Mumbai wherein her height was found 155 c.m.

3. Attention was also drawn by the learned Advocate to para 4 of the affidavit in reply of the res. no. 1 wherein it is contended that if the present applicant succeeds in the present case, it suffers from inherent defect of non-joinder of necessary parties. Learned Advocate submits that there were five vacancies for Women out of which four posts have been filled and one post is kept vacant.

4. In the circumstances, in order to give fair chance to the present applicant it is hereby directed that the



concerned respondents may again direct the applicant to appear before the appropriate Medical Board for her height measurement. However, all the camera video recording made by the respondents on 3 occasions be also placed before the Medical Board so that said Medical Board can arrive at a fixed conclusion.

5. Matter be placed before the Tribunal on 14.6.2019. The height measurement report of the applicant as directed hereinabove be placed on record on the next date.

6. The C.D. received from the respondent in sealed cover, which was kept with Registrar of the Tribunal, be returned to the learned P.O. Learned P.O. to handover the said sealed cover to the concerned respondents for onward transmission of the same to the Medical Board.

**MEMBER (A)**

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

**ORIGINAL APPLICATION NO. 79/2019  
(Prakash F. Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**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 seeks some more time to substantiate his arguments about conscious decision taken by the Government not to close the pending D.E. till the decision on appeal filed by the Anti Corruption Bureau in the Hon'ble High Court against the decision of Special Court.

3. Learned Advocate for the applicant also submits that notice has been served on res. no. 3, though no communication is received in this regard. Learned Advocate may obtain consent letter from res. no. 3 that he has been served with copy of notice.

4. S.O. to 16.4.2019.

**MEMBER (A)**

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

**ORIGINAL APPLICATION NO. 92/2019  
(Amol S. Salve V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Shri R.E. Pathade, learned Advocate holding for Shri D.A. Bide, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 4.4.2019 for reporting compliance of the order dtd. 5.2.2019.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**ORIGINAL APPLICATION NO. 151/2019  
(Sachin A. Gade & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

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

2. At the request of learned P.O., S.O. to 14.6.2019 for filing affidavit in reply.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**ORIGINAL APPLICATION NO. 74/2018  
(Bhagwan B. Chemate V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

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

2. Learned P.O. states that the concerned file could not be traced out in his office and, therefore, matter be adjourned. At his request, S.O. to 8.4.2019 for reporting compliance of the order dtd. 21.2.2019.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**ORIGINAL APPLICATION NOS. 272, 273, 274 AND 275/2018  
(Wahab Majid Shaikh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Smt. N.V. Borse, learned Advocate holding for Shri M.R. Wagh, learned Advocate for the applicants in all the cases and S/shri M.S. Mahajan, M.P. Gude and Smt. Deepali S. Deshpande, learned Chief Presenting Officer and Presenting Officers for the respondents in respective cases.

2. At the request of learned Advocate for the applicants, S.O. to 10.4.2019 for reporting compliance on the line of order dtd. 27.3.2019.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**ORIGINAL APPLICATION NO. 47/2019  
(Suresh M. Jaybhaye V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

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

2. Learned P.O. submits that the respondents are yet to furnish correct address of res. nos. 3 to 5. At her request, S.O. to 23.4.2019 for above compliance.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**ORIGINAL APPLICATION NO. 135/2019  
(Prabhakar M. Kathar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned P.O. S.O. to 6.6.2019 for filing affidavit in reply of the respondents.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019



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

**M.A. 477/2018 IN O.A. ST. 2023/2018  
(Dr. Ravi R. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

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

2. At the request of learned P.O., S.O. to 29.4.2019 for filing affidavit in reply in the present M.A.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**M.A. 35/2019 IN O.A. ST. 147/2019  
(Balaji S. Lanjile V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Shri K.B. Bhise, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. files affidavit in reply of res. nos. 1 to 4 in M.A. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

3. In the circumstances, S.O. to 10.4.2019 for filing rejoinder, if any and also for hearing of M.A.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**M.A. 156/2019 IN O.A. 246/2019  
(State of Maharashtra & Ors.Vs. Shriniwas S. Kulkarni & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Shri V.R. Bhumkar, learned Presenting Officer for the applicants in M.A. / respondents in O.A. None appears for the respondents in the M.A. / applicants in O.A.

2. Issue notices to the respondents in present M.A., returnable on 12.4.2019.

3. Learned P.O. has submitted that he would serve copy of notice upon the learned Advocate for respondent in M.A. / applicants in O.A. He is permitted to do so.

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

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

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

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

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

9. S.O. to 12.4.2019.

10. Steno copy / hamdast allowed for the use of learned P.O.

**MEMBER (A)**

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

**ORIGINAL APPLICATION NO. 590/2013  
(Kaveri V. Chavan @ Smt. Kaveri Wd/o Santoshrao Bagal V/s.  
State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Shri P.G. Gunale, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities. None appears for other respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.4.2019 for filing rejoinder, if any and also for final hearing.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**ORIGINAL APPLICATION NO. 490/2015  
(Vaishnavi D. Kulkarni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks time for filing copy of revised recruitment rules, which are said to be finalized in January, 2019. At her request, S.O. to 23.4.2019 for above compliance.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019

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

**ORIGINAL APPLICATION NO. 707/2015  
(Lahu R. Dhage V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

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

2. Matter be placed before the regular Division Bench for final hearing as when it would be available.

**MEMBER (A)**

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

**O.A. NO. 154/2017 AND O.A. NO. 259/2018  
(Naseem B. Nazir Patel V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 30.3.2019**

**ORAL ORDER :**

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant in both the matters and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents in both the matters.

2. Both the matters be placed before the regular bench for final hearing as and when it would be available.

**MEMBER (A)**

ARJ ORAL ORDERS 30-3-2019



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

**M.A.NO.152/2019 IN O.A.ST.NO.645/2019  
(Shaikh Nisar Ahmed Shaikh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri Girish N. Kulkarni, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notice to the Respondents returnable on 03.06.2019.

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 03.06.2019.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.286/2019  
(Rajkumar M. Upase V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri Vishwas B. Wagh, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that Applicant has been transferred from Nashik Rural to Dhule by order dated 18.02.2019 as per the directions given by Election Commission. Thereafter he joined his new posting on 26.02.2019. Thereafter, he has been posted as Reader, S.P. Office, Dhule by order dated 10.03.2019. The Applicant is working there since then. By impugned order dated 26.02.2019, the Applicant has abruptly been transferred to Nandurbar from Nashik.

3. Learned Advocate for the Applicant has submitted that the Applicant has submitted place of his choice and options which have been called for before making his transfer at Dhule as per the directions of Election Commissions and he never requested for transferring him at Nandurbar. He has submitted that the impugned order is not in accordance with the provision under Section 22N of

the Maharashtra Police Act. Therefore, he prayed to grant interim relief to the impugned order.

4. Learned P.O. for the Respondents has submitted that the impugned order is issued as per the provision of Maharashtra Police Act and there is no illegality in the impugned order. On instruction he has submitted that the Applicant has not been yet relieved from Dhule. Therefore, he prayed to reject the interim relief.

5. On perusal on record it reveals that the Applicant has been transferred within 8 days from issuance of earlier order dated 18.02.2019. He joined the new posting at Dhule on 26.02.2019.

6. Prima-facie I found substance in the submission advanced by the learned Advocate. Hence, implementation and execution of the impugned order is stayed till filing of reply by the Respondents.

7. Issue notice to the Respondents returnable on 07.06.2019.

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

9. 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.

10. 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.

11. 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.

12. 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.

13. S.O. to 07.06.2019.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.501/2017  
(Dhudku B. Mahale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Shri Jayant B. Choudhary, leaned Advocate for the Applicant and Shri V.S. Chaudhary, learned Advocate for the Respondent No.4 are absent.

Heard Shri V.R. Bhumkar, learned Presenting Officer for the Respondent Nos.1 to 3.

2. No affidavit-in-sur-rejoinder has filed by the Respondents. Hence, the matter is fixed for final hearing on 07.06.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**ORIGINAL APPLICATION NO.544/2018  
(Asaram B. Londhe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri Swapnil A. Deshmukh, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant on instructions received from the Applicant states that the Applicant wants to challenge the impugned order before the appropriate forum and therefore, he does not want to proceed with the Original Application and wants to withdraw the same. Therefore, he sought leave of this Tribunal to withdraw the O.A. with liberty to approach the appropriate forum to challenge the impugned order 9.4.2018.

3. Learned P.O. for the Respondents prays to pass necessary order.

5. Since, the Applicant does not want to proceed the O.A. and wants to withdraw the same, leave as prayed for is granted. Original Application is disposed of with liberty to the Applicant to approach the appropriate forum. No order as to costs.

**MEMBER (J)**

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 12.04.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp



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

**ORIGINAL APPLICATION NO.823/2018  
(Shubham H. Myadarwad V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 30.03.2019**

**ORAL ORDER :**

Shri G.J. Karne, learned Advocate for the Applicant is **absent**.

Heard Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply on behalf of the Respondents.
3. Time as prayed for is granted.
4. S.O. to 07.06.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**ORIGINAL APPLICATION NO.879/2018  
(Balasaheb M. Kaldate V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned Advocate for the Applicant is **absent**.

Heard Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply on behalf of the Respondent Nos.1 & 2.
3. Time as prayed for is granted.
4. S.O. to 07.06.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**ORIGINAL APPLICATION NO.22/2019**  
**(Agatrao S. Veer V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri S.M. Pandit, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Issue fresh notice to the Respondent Nos.1,2 & 5 returnable on 30.4.2019.

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. Learned P.O. for the Respondents seeks time to file affidavit-in-reply on behalf of the Respondent Nos.3 and 4.

9. Time as prayed for is granted.

10. Steno copy and Hamdast is allowed.

11. S.O. to 30.04.2019.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NOS.884 TO 895 OF 2017  
(Prabhakar D. Mali & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri G.M. Ghongade, learned Advocate holding for Shri Santosh G. Chalgaonkar, learned Advocate for the Applicant in all these O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondent Nos.1 to 4 in all these O.A.s and Shri Abhijit more, the learned Advocate for the Respondent No.5 in O.A.Nos.887/2017 and holding for Shri Vivek Deshmukh, the learned Advocate for the Respondent No.5 in O.A.Nos.884, 888, 892 & 893/2017. Shri N.K. Tungar, the learned Advocate for the Respondent No.5 in O.A.Nos.886 & 895/2017 and Shri B.R. Sontakke, the learned Advocate for the Respondent No.5 in O.A.No891/2017 are **absent**.

2. The Respondent Nos.1 to 3 and 5 have failed to deposit the cost and failed to file affidavit-in-reply. Hence, the matter will proceed without reply. Respondents are directed to recover the cost imposed by this Tribunal from the concerned officer personally and deposit the same with the registry of this Tribunal by next date.

3. S.O.to 17.06.2019.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.255 OF 2015  
(Rajaram A. Sande V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri S.P. Telgote, learned Advocate holding for Shri A.R. Devkate, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

3. At the request of the learned Advocate for the Applicant, most last chance is granted to urge the matter, failing which the matter will be dismissed.

4. S.O. to 12.04.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**ORIGINAL APPLICATION NO.563 OF 2018  
(Pandurang D. Lahoti V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri Gaurav L. Deshpande, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

3. Pleadings are complete. Hence, the matter is admitted and fixed for final hearing on 11.06.2019

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**ORIGINAL APPLICATION NO.152 OF 2018  
(Sarjerao K. Sabhadinde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

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

3. At the request of the learned advocate for the Applicant, S.O. to 17.06.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp



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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the Applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

3. At the request of the learned advocate for the Applicant, S.O. to 14.06.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**ORIGINAL APPLICATION NO.101 OF 2018  
(Subhash H. Reddy V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the Applicants and Shri D.R. Patil, learned Presenting Officer for the Respondents.

3. Learned Advocate for the Applicant has filed affidavit-in-rejoinder. The same is taken on record and copy thereof has been served on the Respondents.

4. Pleadings are complete. Hence, the matter is admitted and fixed for final hearing on 14.06.2019.

5. This O.A. be tagged with O.A.No.71/2017.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**ORIGINAL APPLICATION NO.375 OF 2017  
(Gopal A. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the Applicants and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

3. This O.A. be tagged with O.A.No.71/2017 on 14.06.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**O.A. NO.798, 857, 858, 859, 800, 801, 802 & 860 ALL OF 2017  
(Shri Shrikant D. Bhalerao & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the Applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. No affidavit-in-reply has filed on behalf of the Respondent No.3 in O.A.No.858 & 800 of 2017.

3. Pleadings are complete. Hence, the matter is admitted and fixed for final hearing on 14.06.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**M.A.NO.334/2018 in O.A.ST.NO.1291/2018  
(Pundlik A. Bodkhe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Heard Shri Rahul K. Garule, learned Advocate holding for Shri C.R. Thorat, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

3. Learned P.O. for the Respondents seeks time to file affidavit-in-reply.

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

5. S.O. to 09.04.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**M.A.NO.115/2018 in O.A.ST.NO.295/2018  
(Pratidnya R. Pulkantwar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Shri Dayanand B. Bhange, learned Advocate for the Applicant has filed a leave note.

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

3. In view of the leave note of Advocate for the Applicant, S.O. to 04.06.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp

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

**M.A.NO.191/2017 in O.A.ST.NO.519/2017  
(Shaikh Mohammad Aminuddin V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J)**

**DATE : 30.03.2019**

**ORAL ORDER :**

Shri U.A. Khekale, learned Advocate for the Applicant is **absent**.

Heard Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. This is an application for condonation of delay of 19 years and 102 days caused for filing Original Application. The delay is inordinate.

3. None appeared for the Applicant. It is seen that the Applicant is not interested in prosecuting the matter. Since, the Applicant is not interested in prosecuting the matter, the O.A. is fixed for passing dismissal order on 29.04.2019.

**MEMBER (J)**

SAS ORAL ORDER 30-03-2019 bpp