

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

**C.P. St. 1653/2019 in C.P. No. 50/2018 in O.A. No. 421/2012
(Shri Anant Madhavrao Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri Ajay Deshpande, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant has filed previous contempt bearing C.P. No. 50/2018 in O.A. No. 421/2012 for initiating contempt proceeding against the contemnor. In that proceeding, the respondents took a decision. On the basis of decision, the retirement benefits were extended to the applicant, but the interest has not been paid. This Tribunal disposed of the C.P. No. 50/2018 on 14.03.2019 with a direction to the respondents to take decision to grant interest on the delayed payment to the applicant within a period of four months. He has submitted that in spite of the said direction, the respondents had not complied with the order passed by this Tribunal in O.A. No. 421/2012 dated 24.08.2017 in its true spirit within the stipulated period. He has submitted that in the earlier C.P. prior notice to the contemnor had

been given before filing that C.P. and therefore, there is no need to issue fresh notice to the contemnor i.e. the respondent No. 3 against whom the applicant wants to proceed within the present matter.

3. On perusal of the record, it reveals that in the scrutiny sheet, it has been specifically mentioned that the prior notice to the contemnor has to be issued before filing C.P. in view of the approval of the office note dated 14.10.2016. The said procedure has been prescribed in view of the observation made by this Tribunal at Principal Seat at Mumbai in M.A. No. 324 of 2016 in C.P. No. 8 of 2015 in O.A. No. 1038 of 2013, decided on 30.08.2016, when it is observed as follows:-

“4. We cannot part with this order, without recording few words of caution. Whenever a notice of proposed action for contempt is issued, the notice must be given to the Contemnor by giving reasonable time. The time to be given could be atleast of one month unless it is impossible. Personal notice must be served on the Contemnor. In case personal notice is served, it could help the applicant in proving of willfulness behind disobedience.

5. Many times, rather often, the notice does not reach the Contemnor. Therefore the envelope containing the notice could contain highlighted text, to exhibit that the envelope contains a notice of action for contempt likely to be filed, if the order is not complied with.

6. It has to be noted that every ingredient of willfulness has to be proved by strict proof. Short-cuts in the process of initiation of a motion for

//3// C.P. St. 1653/19 in C.P.
50/18 in O.A. No. 421/12

contempt can prove to be a harsh and powerful scissor, impairing the justice and majesty of law. Hence an eloquent and due notice is to be dealt and issued as a serious act, than as a formality or a lifeless ritual.”

4. In the instant case, the earlier C.P. has been filed against the contemnor Dr. Smt. Ashwini Joshi, I.A.S., Commissioner of State Excise, Mumbai and prior notice as required by the rules and procedure has been issued to her. Now the applicant wants to initiate C.P. against the respondent No. 3 i.e. Smt. Prajakta Lawangare-Verma, I.A.S., Commissioner of State Excise, Mumbai, but no prior notice as required has been issued to the contemnor i.e. Smt. Prajakta Lawangare-Verma and this is required for impairing the justice. The applicant has not issued the said notice before filing the present C.P. Therefore, the C.P. cannot be registered.

5. Hence, the registration of C.P. is refused.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 591/2018
(Shri Purushottam N. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks time for filing rejoinder affidavit. Time granted as a last chance.
3. S.O. to 19.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 895/2018
(Shri Murlidhar E. Sakhare and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 19.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 416/2019
(Shri Arjun M. Maskar and Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent No. 1. Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 & 3 (**Leave Note**).

2. No affidavit in reply is filed by the respondent No. 3.

3. In view of leave note filed by learned Advocate for respondent Nos. 2 & 3, S.O. to 19.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 427/2019
(Shri Ranjeet S. Savale (Dhangar)V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Shri S.D. Dhongde, learned Advocate for the Applicant (**Leave Note**).

Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted as a last chance.

3. S.O. to 19.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 434/2019
(Shri Namdeo S. Ghone V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Shri S.D. Dhongde, learned Advocate for the Applicant (**Leave Note**).

Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 19.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 480/2019
(Shri Ashok G. Puri V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Smt. S.A. Dhongde, learned Advocate for the Applicant (**Leave Note**).

Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1, 4 to 6 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 and 3.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 19.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 658/2018
(Shri Raosaheb S. Bangar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri I.D. Maniyar, learned Advocate holding for Shri R.R. Bangar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the respondent No. 1. Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 & 3 (**Leave Note**).

2. In view of leave note filed by learned Advocate for respondent Nos. 2 & 3, S.O. to 18.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 184/2019
(Shri Keshav J. Wable V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri S.V. Suryawanshi, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 09.10.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 622/2019
(Shri Paraji G. Jorule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri S.D. Munde, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri R.M. Lone, learned Advocate for respondent No. 4.
2. Learned Advocate for respondent No. 4 seeks time for filing affidavit in reply. Time granted as a last chance.
3. S.O. to 11.10.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**M.A. No. 240/2018 in O.A. St. No. 1055/2018
(Shri Ashok M. Gadekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Smt. S.S. Kulkarni, learned Advocate holding for Shri A.M. Nagarkar, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 264/2019
(Shri Sapadu V. Bhalerao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Smt. S.S. Kulkarni, learned Advocate holding for Shri A.M. Nagarkar, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 14.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**M.A. No. 185/2019 in O.A. St. No. 695/2019
(Shri Ramchandra L. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Smt. S.S. Kulkarni, learned Advocate holding for Shri A.M. Nagarkar, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant has submitted that during the course of the day rejoinder affidavit would be filed.
3. S.O. to 13.11.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 740, 741, 742, 743, 744, 745 & 746
ALL OF 2019**

(Shri Natharao R. Dodabe & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri M.B. Bharaswadkar, learned Advocate for the Applicants in all these O.As. and S/shri V.R. Bhumkar, N.U. Yadav, M.P. Gude, D.R. Patil, I.S. Thorat, Smt. Sanjivani K. Deshmukh-Ghate and Smt. Deepali S. Deshpande, learned Presenting Officers for respective respondents in respective O.As.

2. Learned Advocate for the applicants has placed on record chart. Same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer seeks time to take instructions from the respondents regarding status of the proposal of the applicants.

4. S.O. to 03.10.2019.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 817/2019
(Shri Kamlakar Balasaheb Randive V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri Akshay Joshi, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has placed on record a copy of the communication dated 26.09.2019 received to him from the applicant and stating that the applicant does not want to proceed with the present O.A. and prayed to withdraw the same. Same is taken on record. He has submitted that in view of the written instruction received from the applicant, the present O.A. may be disposed of.

3. Learned Presenting Officer has prayed to pass necessary order.

4. In view of the submissions made by the learned Advocate for the applicant, the O.A. is disposed of as withdrawn with no order as to costs.

ACTING CHAIRMAN

KPB ORAL ORDER 30.09.2019

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

**ORIGINAL APPLICATION NO. 867 OF 2019
(Shri Rajkumar S. Padvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.
2. Issue notices to the respondents, returnable on 18.11.2019.
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 18.11.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 869 OF 2019
(Shri Shaikh Abdul Rouf Mohd. Basheer V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 01.10.2019.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 878 OF 2019
(Shri Youraj G. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. 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 14.11.2019.
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 14.11.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

ACTING CHAIRMAN

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

**ORIGINAL APPLICATION NO. 881 OF 2019
(Shri Rajendra K. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.
2. Issue notices to the respondents, returnable on 04.11.2019.
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 04.11.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

ACTING CHAIRMAN

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

**ORIGINAL APPLICATION NO. 882 OF 2019
(Shri Dnyanesh D. Gund V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.
2. Issue notices to the respondents, returnable on 04.11.2019.
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 04.11.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 884 OF 2019
(Dr. Nitin S. Sonawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 01.10.2019.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 885 OF 2019
(Dr. Santosh N. Budhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.
2. Issue notices to the respondents, returnable on 04.11.2019.
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 04.11.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

ACTING CHAIRMAN

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

**M.A. 354/2019 in M.A. St. 1197/2019 in O.A. St. 1196/2019
(Shri Shesherao R. Rathod and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

Heard Shri P.M. Shinde, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. The M.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**M.A. St. No. 1195/2019 in O.A. St. No. 1196/2019
(Shri Sheshrao R. Rathod and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri P.M. Shinde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.
2. Issue notices to the respondents in M.A., returnable on 07.11.2019.
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

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M.A. St. 1197/19 in
O.A. St. 1196/19

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 07.11.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**M.A. No. 459/2019 in O.A. No. 618/2019
(Shri Dhondiram G. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri U.L. Momale, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.
2. Issue notices to the respondents in M.A., returnable on 19.11.2019.
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

//2//

M.A. 459/2019 in
O.A. 618/2019

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 19.11.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 407 OF 2019
(Smt. Sadhana U. Borse @ Sadhana S. Pachpol V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.
2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.
3. At the request of learned Advocate for the applicant, S.O. to 11.10.2019 for filing service affidavit of respondent No. 4.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 551 OF 2019
(Shri Vithal T. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 20.11.2019.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 653 OF 2019
(Shri Vijay B. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

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

3. At the request of learned Presenting Officer, S.O. to 15.11.2019 for filing affidavit in reply of respondent Nos. 1, 3 & 4.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**M.A. No. 55/2019 in O.A. St. No. 45/2019
(Shri Amol S. Pedapalli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri R.R. Dhaykar, learned Advocate holding for Shri A.P. Sonpethkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.
2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted as a last chance.
3. S.O. to 14.11.2019.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**M.A. No. 160/2019 in O.A. St. No. 627/2019
(Shri Ashok B. Nagargoje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

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

2. Learned Presenting Office has filed affidavit in reply on behalf of respondent Nos. 1 to 4 in M.A. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 19.11.2019.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**M.A. No. 475/2019 in O.A. No. 812/2019
(Dr. Sunita H. Ingle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri G.K. Muneshwar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.
2. Issue notices to the respondents in M.A., returnable on 23.10.2019.
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

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M.A. 475/2019 in
O.A. 812/2019

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 23.10.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 719 OF 2016
(Shri Pandurang M. Chandanshiv V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri L.H. Kawale, learned Advocate holding for Shri K.J. Suryawanshi, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 to 3 and Shri V.M. Chate, learned Advocate for respondent Nos. 4 & 5.

2. Learned Advocate for the applicant is directed to file short affidavit stating specific claim regarding interest.

3. S.O. to 04.10.2019.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 277 OF 2017
(Shri Shaikh Mehboob Abdul Kareem V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to approach before the competent forum for transfer of the present O.A. Time granted.

3. S.O. to 16.10.2019.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**ORIGINAL APPLICATION NO. 849 OF 2017
(Smt. Shashikala G. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Smt. S.A. Dhongde, learned Advocate for the applicant (**Leave Note**).

Heard Shri I.S. Thorat, learned Presenting Officer for respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 19.11.2019.

ACTING CHAIRMAN

kpb ORAL ORDERS 30.09.2019

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

**M.A. No. 152/2019 in O.A. St. No. 645/2019
(Shri Shaikh Nisar Ahmed Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

1. Heard Shri G.N. Kulkarni, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.
2. On perusal of the record, it reveals that the delay of more than one year and six months has been caused for filing the accompanying O.A. No plausible and sufficient cause has been mentioned by the applicant for condonation of delay. Since the valuable rights of the applicant are involved in the O.A., it is just and proper to allow the present M.A. subject to payment of costs.
3. In view of this, the M.A. is allowed subject to payment of costs of Rs. 5000/- (Rs. Five Thousand Only). The applicant shall deposit the amount of costs in the Registry on before 14.10.2019. On depositing the amount of costs, the delay of 294 days caused for filing the accompanying O.A. is hereby condoned. On failure to deposit the amount of costs by the applicant within stipulated time, the present M.A. stands dismissed automatically.

ACTING CHAIRMAN

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

**ORIGINAL APPLICATION NO. 178 OF 2018
(Shri Mohammad Raisoddin Mohammad Fayajoddin Ansari V/s. State of
Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN.

DATE : 30.09.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has placed on record a copy of communication dated 22.07.2019 on previous date i.e. on 24.07.2019 sent by the Joint Director (Dental), Medical Education and Research, Mumbai to the Dean, Swami Ramanad Teerth Medical College and Rural Hospital, Ambajogai, Dist. Beed, wherein it has been stated that the proposal regarding regularization of the employees have been sent to the Government on 11.07.2019 and the name of the applicant has been included therein, but the Government has not taken decision on it. Therefore, he has submitted that since the proposal is pending with the Government, the present O.A. may be disposed of.

3. Learned Advocate for the applicant has submitted that the proposal of the applicant was sent on 11.07.2019, but the same is pending with the Government. Therefore, he prayed to issue direction

to the respondent No. 1 to take appropriate decision on the above said proposal within reasonable time and to dispose of the present O.A.

4. In view of the communication dated 22.07.2019, the proposal regarding regularization of services of the employees including the applicant was sent to the Government by the concerned Department on 11.07.2019, but the Government has not taken decision on the said proposal. In these circumstances, it will be just and proper to direct the respondent No. 1 to take appropriate decision, on merit on the proposal dated 11.07.2019 regarding regularization of services of the employees working on temporary basis within a period of four months i.e. on or before 31.01.2020.

5. In view of this, the O.A. is disposed of with a direction to the respondent No. 1 to take appropriate decision on the proposal dated 11.07.2019 on merit on or before 31.01.2020 and communicate the decision therein to the applicant in writing. There shall be no order as to costs.

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO. 875 OF 2019
(Smt. Anita Bhagwanrao Kolgane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, with consent.

2. The applicant has challenged the show cause notice dated 03.09.2019 issued by the respondent No. 5 in the departmental enquiry by filing the Original Application. He has made the following prayer in the Original Application: -

“B) The Hon’ble Tribunal may kindly be pleased to quash and set aside the impugned show-cause-notice dated 03/09/2019 bearing No. Appeal-2011/ 263 /PRA. KRA. 272/Punarbhandhani KRA.16/E-9 issued by the respondent No. 5 in the present Original Application.

C) By way of interim relief the Hon’ble Tribunal may kindly be pleased to stay the impugned show-cause-notice dated 03/09/2019 bearing No. appeal-2011/ 263/PRA-KRA. 272/Punarbhandhani KRA.16/E-9 issued by the respondent No. 5 in the present Original Application.

D) The Hon’ble Tribunal may kindly direct the respondents to not to take any coercive

O.A. NO. 875 OF 2019

action as against the Original Applicant in the facts and circumstances of the Original Application.”

3. Learned Advocate for the applicant has submitted that the show-cause-notice has been issued in spite of pendency of the earlier O.A. bearing No. 458/2018 filed by the applicant challenging the promotion list. He has submitted that the earlier matter was admitted and kept for hearing in due course of time and, therefore, the respondents ought not have proceeded with the departmental enquiry and issued the show-cause-notice to the applicant. Therefore, he has prayed to admit the present Original Application.

4. Learned Chief Presenting Officer has submitted that the subject matter of the present Original Application and earlier Original Application are different and, therefore, the present Original Application cannot be admitted. He has submitted that the departmental enquiry was proceeded further and after conclusion of it the show-cause-notice regarding punishment to be imposed has been issued to the applicant. He has submitted that an opportunity of hearing has been given to the applicant by issuing show cause notice. The show cause notice is not an order in view of section 19 of the Administrative Tribunals Act, 1985. The applicant is not aggrieved of any order. Hence, the present O.A. cannot be

O.A. NO. 875 OF 2019

admitted in view of Section 19 of the Administrative Tribunals Act, 1985.

5. On perusal of the prayer clause it is crystal clear that the applicant is challenging Show Cause Notice dated 03.09.2019 issued by the respondent No. 5 for imposing punishment in the departmental enquiry. By issuing the said notice an opportunity of hearing has been given to the applicant. The show cause notice is not an order as defined in the provisions of Section 19 of the Administrative Tribunals Act, 1985.

6. In view of the Section 19 a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his / her grievance. The applicant has not been aggrieved by any order in view of provisions of Section 19 of the Administrative Tribunals Act, 1985. The O.A. is not maintainable in view of provisions of Section 19 of the Administrative Tribunals Act, 1985. Therefore, the present Original Application cannot be admitted. Hence, the same stands rejected without any order as to costs.

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO. 388 OF 2018
(Shri Namdeo Punjaji Gawali V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

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

2. On perusal of the record, it reveals that the punishment of withholding of increment has been modified by the Appellate Authority by order dated 02.02.2018 and the applicant has been cautioned not to commit misconduct in future. Thereafter the applicant moved an application to the respondents for considering his deemed date of promotion in view of the decision in the departmental enquiry on the basis of the Government Resolution dated 22.4.1996, a copy of which is placed on record at page No. 39, Exhibit 'A-7'. The respondent No. 2 has not taken any decision on the representation of the applicant on the basis of the said G.R. dated 22.4.1996.

3. Learned Presenting Officer sought time to take instructions from the respondents as to whether the case of the applicant has been placed before the Departmental Promotion Committee (DPC) afresh, after passing an order by the Appellate Authority.

O.A. NO. 388 OF 2018

4. In view of the submissions made by the learned Presenting Officer, time is granted.

5. S.O. to 18.10.2019.

6. Steno copy is allowed for the use of learned Presenting Officer.

ACTING CHAIRMAN

ORAL ORDERS 30.09.2019-HDD

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

ORIGINAL APPLICATION NO. 259 OF 2019
(Dr. Manik Rangnath Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

Heard Shri Sanjay A. Wakure, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 5 and Shri Suresh G. Rudrawar, learned Advocate for caveator.

2. Learned Presenting Officer for the respondent Nos. 1 to 5 has produced a copy of Government Order dated 19th September, 2019 issued by the respondent No. 2 viz. the Desk Officer, State of Maharashtra, Mantralaya, Mumbai and the same is taken on record and marked as document 'X' for the purposes of identification.

3. On perusal of the aforesaid order dated 19th September, 2019 it appears that the posting is given to the applicant.

4. Learned Advocate for the applicant has submitted that since the respondents have given the posting to the applicant, the grievance of the applicant has been redressed and, therefore, he prayed to dispose of the present Original Application.

5. Learned Presenting Officer also prayed to dispose of the present Original Application since the grievance of the applicant has been redressed. He has further submitted that in view of the order dated 19th September, 2019 passed by the respondent No. 2, nothing remains in the present Original Application. Therefore, he has prayed to dispose of the same.

6. In view of the submissions made on behalf of both the parties, the present Original Application stands disposed of accordingly without any order as to costs.

ACTING CHAIRMAN

RAL ORDERS 30.09.2019-HDD

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

M.A. 337/2017 WITH M.A.ST. 973/2017 IN O.A.St. 974/2017
(Shri Abdul Jabbar Abdul Rahim Shaikh & Ors. V/s. State of Maharashtra &
Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicants has submitted that the applicant Nos. 1, 3, 5, 7 & 8 have instructed him to withdraw the present MAs and O.A. as the purpose of filing of the same has been served in view of the decision taken by the Government on the proposals dated 23.12.2004, 23.10.2005 & 6.1.2006 by communication dated 25.09.2019. Therefore, he prayed to dispose of the present Original Application to the extent of the aforesaid applicants. He has further submitted that he has not received any instruction from the other applicants for withdrawal of the present MAs and O.A. He has fairly submitted that the names of the other applicants have not been included in the aforesaid proposals dated 23.12.2004, 23.10.2005 & 6.1.2006 and the specific relief as regards to those applicants has not been made in the present Original Application.

**M.A. 337/2017 WITH
M.A.ST. 973/2017 IN
O.A.St. 974/2017**

3. Learned Presenting Officer for the respondents has submitted that the purpose of filing of the MAs and OAs is served in view of the decision dated 25th September, 2019 and, therefore, he prayed to dispose of the present MAs and OA.

4. In view of the submissions made by both the parties and since the purpose of filing of O.A. of applicant Nos. 1, 3, 5, 7 & 8 has been served, nothing remains in the present MAs and O.A. and, therefore, the same are disposed of.

5. So far as other applicants are concerned, their names have not been included in the proposals dated 23.12.2004, 23.10.2005 & 6.1.2006. Therefore, they have no cause of action to file the O.A. Hence, the present MAs and O.A. are dismissed to the extent of other applicants.

There shall be no order as to costs.

ACTING CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 168 OF 2019
(Shri Nivrutti Hiranman Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 30.09.2019

ORAL ORDER :

Heard Smt. Aparna S. Kulkarni, learned Advocate holding for Shri Anand D. Kawre, 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 11.10.2019.

ACTING CHAIRMAN

ORAL ORDERS 30.09.2019-HDD

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

ORIGINAL APPLICATION NO. 847 OF 2019
(Shri Gulab Shamrao Bhajbuje V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

Heard Shri Jitendra V. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, with consent.

2. Learned Advocate for the applicant submits that the applicant intends to withdraw the present Original Application with liberty to approach the appropriate bench, as this Tribunal has no territorial jurisdiction.

3. Leave as prayed for is granted. The present Original Application stands disposed of as withdrawn with liberty as prayed for by the learned Advocate for the applicant. There shall be no order as to costs.

ACTING CHAIRMAN

ORAL ORDERS 30.09.2019-HDD

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

M.A.NO. 451/2019 IN O.A.ST.NO. 1889/2019
(Smt. Kajal Gangadhar Dhanvijay & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

Heard Shri Jitendra V. Patil, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, with consent.

2. Learned Advocate for the applicants submits that the applicant intends to withdraw the present Original Application with liberty to approach the appropriate bench, as this Tribunal has no territorial jurisdiction.

3. Leave as prayed for is granted. The present Original Application stands disposed of as withdrawn with liberty as prayed for by the learned Advocate for the applicants.

4. Since the Original Application itself stood disposed of as withdrawn today, nothing survives in the M.A. No. 451/2019, which is filed by the applicants seeking permission of this Tribunal to sue jointly, and the same also stands disposed of.

There shall be no order as to costs.

ACTING CHAIRMAN

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

ORIGINAL APPLICATION NO. 816 OF 2019
(Shri Balaji Antram Karale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

Heard Shri Jitendra V. Patil, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, with consent.

2. The present case is not on today's board. The learned Advocate for the applicant has prayed for circulation. Circulation is granted and the present case is taken on today's board.

3. Learned Advocate for the applicant submits that the applicant intends to withdraw the present Original Application with liberty to approach the appropriate bench, as this Tribunal has no territorial jurisdiction.

4. Leave as prayed for is granted. The present Original Application stands disposed of as withdrawn with liberty as prayed for by the learned Advocate for the applicant. There shall be no order as to costs.

ACTING CHAIRMAN

ORAL ORDERS 30.09.2019-HDD

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

ORIGINAL APPLICATION NO. 768 OF 2018
(Shri Vijaykumar V. Giri & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 18.11.2019 for filing affidavit in reply.

ACTING CHAIRMAN

ORAL ORDERS 30.09.2019-HDD

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

ORIGINAL APPLICATION NO. 722 OF 2019
(Shri Gajanan Babulal Bansode & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 03.10.2019 for filing affidavit in reply.

ACTING CHAIRMAN

ORAL ORDERS 30.09.2019-HDD

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

M.A.NO. 462/2019 IN O.A.NO. 139/2017
(Shri Shaikh Liyakat S/o. Shaikh Dildar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

Heard Shri V.P. Golewar, learned Advocate for
the applicant and Shri D.R. Patil, learned Presenting
Officer for the respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 03.10.2019.

ACTING CHAIRMAN

ORAL ORDERS 30.09.2019-HDD

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

M.A.NO. 461/2019 IN O.A.ST. NO. 1103/2019
(Shri Ezaz Jafarsab Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

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

2. This is an application filed by the applicant for condonation of delay of about 9 years and 3 months caused for filing accompanying Original Application.

3. The applicant has filed accompanying Original Application seeking directions to the respondent Nos. 1 & 2 to consider his claim for appointment on the post of Police Constable from Open Category, as his name has been enrolled in the waiting list at Sr. No. 1 prepared in the year 2010. There is delay of 9 years and 3 months for filing accompanying Original Application. The applicant has not given any satisfactory reason for condonation of delay. Inordinate delay of 9 years and 3 months has been occurred. In the absence of sufficient and plausible explanation, the delay caused for filing accompanying Original Application cannot be condoned. Hence, the

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**M.A.NO. 461/2019 IN
O.A.ST. NO. 1103/2019**

present M.A. deserves to be dismissed and the same stands dismissed accordingly. Consequently, the registration of accompanying Original Application stands refused.

There shall be no order as to costs.

ACTING CHAIRMAN

ORAL ORDERS 30.09.2019-HDD

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

M.A. 154/2018 IN O.A. ST. 576/2018
(Smt. Samta R. Lokhande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

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

2. With consent of both the sides, S.O. to 8.11.2019.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

ORIGINAL APPLICATION NO. 876/2016
(Smt. Anuradha R. Gavane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

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

2. In view of non availability of the Division Bench, S.O. to 18.11.2019 for final hearing.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

**ORIGINAL APPLICATION NO. 939/2017
(Shri Dattatraya S. Bargaje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

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

2. In view of non availability of the Division Bench, S.O. to 18.11.2019 for final hearing.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

ORIGINAL APPLICATION NO. 141/2018
(Smt. Nanda P. Bankar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent no. 1 and Shri A.S. Deshmukh, learned Advocate for respondent no. 2.

2. In view of non availability of the Division Bench, S.O. to 21.11.2019 for final hearing.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

**ORIGINAL APPLICATION NO. 406/2018
(Shri Arun S. Gosavi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

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

2. In view of non availability of the Division Bench, S.O. to 21.11.2019 for final hearing.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

**M.A. 359/2019 IN O.A. 336/2019
(Shri Anil S. Navale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

Heard Shri Sandeep Munde, learned Advocate holding for Shri Ashok R. Tapse, 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 18.10.2019.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

**ORIGINAL APPLICATION NO. 612/2019 WITH CAVEAT 53/2019
(Shri Harshal M. Nagare & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

Heard Shri Yogesh B. Bolkar, learned Advocate
for the applicants and Smt. Priya R. Bharaswadkar,
learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to file
affidavit in reply of the respondents. Time granted.

3. S.O. to 23.10.2019.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

**ORIGINAL APPLICATION ST. NO. 1677/2019
(Shri Suraj S. Bavat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

1. Heard Shri N.S. Choudhary, learned Advocate for the Applicant and Smt. Priya R. Bharaswadar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to satisfy the Tribunal on the point of limitation. Time granted.

3. S.O. to 7.11.2019.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.09.2019

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

**M.A.477/2019 IN T.A. 1/2019 (W.P. 11496/2019)
(Smt. Ashwini L. Manje V/s. Smt. Sonali S. Varwate & Ors. and State of
Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

1. Heard Smt. Rebekah Daniel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the Applicants in M.A., Shri S.S. Thombre, learned Advocate for respondent nos. 1 to 5 in M.A. / applicants in T.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 6 & 7 in M.A.

2. Learned Advocate for the applicants in T.A. / W.P. has no objection to implead the applicants in M.A. as respondents in T.A. He seeks liberty to implead the applicants in M.A. as respondents in T.A. / W.P.

3. In view of submissions made by the learned Advocate for the applicants in T.A. / W.P., the present M.A. is allowed. Learned Advocate for the applicants in T.A./W.P. to add the applicants in M.A. as respondents in T.A. forthwith.

4. Accordingly, the present M.A. stands disposed of with no order as to costs.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.09.2019

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

**T.A. 1/2019 (W.P. 11496/2019)
(Smt. Sonali S. Varwate & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.09.2019

ORAL ORDER :

1. Heard S.S. Thombre, learned Advocate for the Applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Ms. Rebekah Daniel, learned Advocate holding for Shri S.B. Talekar, learned Advocate for added respondent nos. 3 & 4.

2. Learned Advocate for the applicants has submitted that he does not want to proceed against the selected candidates whose names had been included in the earlier list of selected candidates recommended by M.P.S.C. The applicants want to proceed against the candidates / respondents whose names have been inserted in the select list by publication of revised select list by M.P.S.C. on 7.9.2019. Therefore the applicants intend to amend the prayer clauses (B) & (C) of the W.P. / T.A.

3. Leave as prayed for is granted. Applicant shall amend the prayer clauses (B) & (C) of the T.A. forthwith.

4. Learned Advocate for the applicants submits that names of the applicants were mentioned in the earlier

T.A. 1/2019 (W.P. 11496/2019)

select list published by the M.P.S.C., but subsequently revised select list has been published on 7.9.2019 in view of the decisions of Hon'ble High Court in writ petition no. 4159/2018 decided on 8.8.2019. He has submitted that in the revised select list the names of the applicants have been deleted and names of some of the candidates, whose names had not been included in the earlier select list, have been included. He has submitted that the applicants do not know the names of the candidates, whose names have been subsequently added in the revised selected list. He has submitted that as the names of the applicants have been deleted from the revised select list, by way of interim relief the Tribunal shall restrict those candidates, who have been subsequently added in the revised select list from joining the training to be commenced from 4.10.2019. He has submitted that the select list has been prepared in violation of the guidelines given by the Hon'ble High Court in **writ petition no. 4159/2018** as well as in **writ petition no. 10103/2015** in **Miss. Rajani d/o Shaileshkumar Khobragade Vs. State of Maharashtra & Ors.** decided on 31.3.2017 and in view of judgment of Hon'ble Supreme court in case of **Gaurav Pradhan & others Vs. State of Rajasthan & Ors. with Sachin Sharma & Others Vs./ State of Rajasthan & Ors. with Irfan Khan Vs. State of Rajasthan & Ors.** reported at **(2018) 11 SCC 352** and in case of **Deepa E.V. Vs. Union of India & Ors.** reported at **(2017) 12 SCC 680**

T.A. 1/2019 (W.P. 11496/2019)

and also in violation of the Circular dtd. 19.12,2018. He has submitted that the said Circular has not been made applicable with retrospective effect. Therefore, he has prayed to grant interim relief in favour of the applicants.

5. Learned Chief Presenting Officer has submitted that the applicants have not made the selected candidates, whose names have been inserted in the revised select list, as party respondents in the present T.A. Therefore, she prayed to direct the applicants to make them as party respondents as they are necessary respondents.

6. Learned Advocate for the added respondent nos. 3 & 4 submits that the res. no. 1 has issued the posting orders to the added respondents and they were called upon to report the Training Institute today for undergoing to the training to be commenced from 4.10.2019. He has submitted that the selection of the respondents have been made in view of the principles laid down by the Hon'ble High Court in writ petition no. 4159/2018. He has submitted that the respondents have been appointed accordingly.

7. On going through the submissions of learned Advocate for the applicants, it reveals that the applicants are seeking relief against the selection of the candidates, whose names have been mentioned in the revised select list, but they have not joined them as

T.A. 1/2019 (W.P. 11496/2019)

party respondents in the present T.A. The candidates whose names have been added in the revised select list will be aggrieved persons, if this Tribunal passes any order against them. The applicants are claiming blanket orders against them. No blanket order can be passed against the candidates who will be aggrieved by the order, in their absence. An opportunity of hearing must be given to them in view of principles of natural justice. Therefore, it is necessary to direct the applicants to make the newly added candidates in the revised select list, as party respondents in the T.A.

8. At this stage, learned Advocate for the applicants has submitted that it is very difficult for the applicants to add the newly added candidates in the revised select-list as party respondents and therefore he prayed to grant interim relief in favour of the applicants in absence of those candidates.

9. I do not find substance in the submissions of learned Advocate for the applicants. No interim relief can be granted to the applicants without hearing the candidates whose rights will be affected. Hence his request is rejected. Applicants to comply the order on or before the next date.

10. S.O. to 23.10.2019.

ACTING CHAIRMAN

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

M.A. 466/2019 IN C.P. ST. 1672/2018 IN O.A. 650/2007
(Shri Dadarao G. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

Heard Shri K.B. Kolpe, learned Advocate holding for Shri V.B. Dhage, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has produced on record copy of bill signed by the Accounts Officer along with cheque drawn in the name of the applicant. It is taken on record and marked as document 'X' for the purpose of identification.

3. Learned C.P.O. submits that the order has been complied with by the respondents and therefore he prayed to disposed of M.A. & C.P. Learned Advocate for the applicant has submitted as the order in O.A. has been complied with by the respondents and therefore he has no objection to dispose of M.A. & C.P.

4. In view of the submissions made by the learned Advocate for the applicant and learned Chief Presenting Officer the Misc. Application and Contempt Petition stand disposed of. There shall be no order as to costs.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

**M.A. 463/2019 IN O.A.NOS. 436, 85, 493 ALL OF 2017 AND O.A. NOS.
34, 154, 252, 231, 232, 233, 239, 224, 250, 258, 218, 480, 227, 246
with M.A. 131/2019, 571, 301, 430, 517, 522, 961, 962, M.A. 299/2018
IN O.A.NO. 226/2018, 313, 350, 414, 753, 768, 914, 613, 488 T.A. NO.
01/2018 (W.P. NO. 15249/2017), 485, 486 & 556 ALL OF 2018, O.A.
187/2017, 975, 976 and 985/2018**

(Smt. Shreya B. Mamode & Ors. Vs. State of Maharashtra & Ors.)-----

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

Heard Shri Anand Deshpande, learned Advocate holding for Shri S.B. Talekar, S/Shri J.M. Murkute, V.B. Wagh, Sandeep Mundhe, R.D. Khadap for himself & holding for S.S. Thombre, Prithvi Rathod holding for Abhay Rathod, S.A. Ambilwade, Smt. Saakshi Joshi, learned Advocate holding for Smt. Surekha Mahajan, K.B. Jadhav, B.S. Choure, A.S. Deshmukh, Rahul Joshi, Ganesh Kore and Shri N.S. Kadarale & Shri Sujeet D. Joshi, R.B. Gaikwad & Ashish T. Jadhavar, the learned Advocates for the Applicants in respective cases, Shri M.S. Mahajan & Mrs. Priya R. Bharaswadkar, learned Chief Presenting Officer & learned Presenting Officer for the respective respondents in respective cases, Shri H.A. Joshi, learned Advocate for respondent Nos. 3 to 6 in O.A. No. 493/2017 (**leave note**), Shri M.B. Kolpe, learned Advocate for respondent Nos. 4 & 5 and Shri N.B. Gadegaonkar, learned Advocate for respondent No. 6 in O.A. No. 34/2018, Shri M.B. Kolpe, learned

O.A. NOS. 436/2017 & GROUP

Advocate for respondent No. 2 in O.A. No. 154/2018, Smt. Savita N. Solunke, learned Advocate for respondent No. 4 to 6 in O.A. No. 252/2018, Shri M.B. Kolpe, learned Advocate for respondent No. 2 in O.A. No. 231, 232 & 233 all of 2018, Shri H.A. Joshi, learned Advocate for respondent No. 3 in O.A. No. 231/2018 and for respondent Nos. 10, 14, 20, 26, 34, 35, 38, 43, 46, 47, 49, 51 & 52 in O.A. No. 232/2018 (**leave note**). Smt. Swati Nakhate, learned Advocate for respondent Nos. 6 & 65 in O.A. No. 233/2018. Shri M.B. Kolpe, learned Advocate for respondent No. 3, Shri H.A. Joshi, learned Advocate for respondent Nos. 5, 7, 8, 14, 19, 23, 24, 29, 34, 36, 39, 40, 42, 45, 46 (**leave note**), and Shri M.P. Bhaskar, learned Advocate for respondent Nos. 6 & 44 in O.A. No. No. 239/2018. Shri M.B. Kolpe, learned Advocate for respondent No. 3, Shri H.A. Joshi, learned Advocate for respondent Nos. 4 to 14 (**leave note**) and Shri M.P. Bhaskar, learned Advocate for respondent Nos. 15 to 17 in O.A. No. 224/2018. Shri G.V. Mohekar, learned Advocate for respondent Nos. 10 & 21, Shri M.B. Kolpe, learned Advocate for respondent No. 1 in O.A. No. 250/2018. Shri M.B. Kolpe, learned Advocate for respondent No. 3, Shri H.A. Joshi, learned Advocate for respondent Nos. 4 to 23 (**leave note**) and Shri M.P. Bhaskar, learned Advocate for respondent Nos. 24 to 26 in O.A. No. 258/2018. Shri M.B. Kolpe, learned Advocate for respondent No. 3, Shri H.A. Joshi, learned Advocate for respondent Nos. 4 to 27 and

Shri M.P. Bhaskar, learned Advocate for respondent Nos. 28 to 30 in O.A. No. 218/2018 (**leave note**). Shri G.V. Mohekar, learned Advocate for respondent Nos. 3 to 5 in O.A. No. 430/2018. Shri A.S. Deshmukh, learned Advocate for respondent Nos. 4 to 7 in O.A. No. 517/2018. Shri M.B. Kolpe, learned Advocate for respondent No. 2 in O.A. No. 226/2018 and respondent No. 3 in O.A. No. 313/2018. Shri A.S. Shelke, learned Advocate for respondent No. 4 in O.A. No. 313/2018. Ms. Preeti Wankhade, learned Advocate for respondent No. 4 in O.A. No. 414/2018 and Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for respondent No. 4 in O.A. No. 753/2018.

2. With consent of both the sides, all the matters be placed before the next sitting of the Division Bench as and when it would be available.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019

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

**O.A. NO. 330/2018
(Shri Pawangir L. Giri V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 30.9.2019

ORAL ORDER :

Shri Omprakash Y. Kashid, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 8.11.2019.

ACTING CHAIRMAN

ARJ ORAL ORDER 30.9.2019