

ONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO.960/2017
(Pralhad D. Lahane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :

Heard Shri A.M. Nagarkar, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. Learned Advocate for the Applicant submits that he will file VAKALATNAMA and affidavit-in-rejoinder during the course of the day.

3. S.O. to 15.2.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.984/2018
(Jaiprakash L. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :

Heard Ms. Anita A. Gadekar, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 14-02-2019.

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

4. Applicants are 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. Applicants are 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 14-02-2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.265/2017
(Dr. Suresh M. Karamunge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate for the Applicant and Smt. M.S. Patni, the learned Present Officer for the Respondent Nos.1 to 3. Shri D.S. Mali, the learned Advocate for the Respondent No.4 is **absent.**

2. Admit. To come up for final hearing.

3. S.O. 18.02.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**ORIGINAL APPLICATION NO.533/2017
(Milind D. Tungar & Another V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :

None for the Applicants. Heard Smt. M.S. Patni,
the learned Presenting Officer for respondents.

2. S.O. 18.02.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**ORIGINAL APPLICATION NO.85/2018
(Rangrao D. Devare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :

Heard Shri P.S. Dighe, the learned Advocate for the Applicant and Shri V.R. Bhumkar, the learned Presenting Officer for respondents.

2. Admit. To come up for final hearing.

3. S.O to 28.1.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**ORIGINAL APPLICATION NO.201/2018
(Manzoor Ahmed Shikh, (Deceased) through Shahenaz W/o Mazoor Ahmed
Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :-

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

2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent Nos.1 and

2. It is taken on record.

3. S.O to 01.2.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.370/2018
(Dhamratna S. Ghule V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

Heard Shri Mohit R. Deshmukh, the learned Advocate for the Applicant and Smt. Deepali Deshpande, the learned Presenting Officer for respondents.

2. The learned Advocate for the Applicant has filed affidavit-in-rejoinder. The same is taken on record and copy thereof is served to the other side.

3. The Applicant has filed the Original Application issuing direction to the Respondent to transfer him at Kinwat as per the seniority list of the employees due for transfer published on 25.5.2018 by filing Original Application.

3. On perusal of record it reveals that the Government had given approval to the transfer order of the employees working in the Ashram School by decision dated 23.1.2018 and in that list the name of the Applicant is at Sr.No.36.

4. On perusal of record it reveals that the Government has directed the Commissioner of Tribal Development Department, Maharashtra State

to implement the order and issue transfer order accordingly. But the Respondent No.3 Commissioner has not implemented the order to sense and issued transfer order of the employees at the time of general transfer.

5. Respondent Nos.4 and 5 have no concern with the transfer of the Applicant. The Respondent Nos.1 to 3 relied on the same.

6. In the circumstances, in my view the reply of Respondent No.3 Commissioner is necessary. Therefore, the Respondents No. 3 Commissioner Tribal Development Department is directed to explain as to why he had not implemented the decision of the Government dated 23.1.2018 in stipulated period.

7. Learned Advocate for the Applicant seeks leave to amend the O.A. as he wants to add the prayer to direct the Respondent No.3 to implement the order dated 23.1.2018. Leave as prayed for is granted.

8. Amendment be carried out forthwith.

9. S.O. to 24.1.2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.579/2018
(Kapil I. Sontakke & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

None for the Applicants. Heard Smt. Deepali S. Deshpande, the learned Presenting Officer for respondents.

2. S.O. to 24.1.2019 as a last chance.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

ORIGINAL APPLICATION NO.893/2018
(Ujjwala N. Bhamare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

Heard Shri I.D. Maniyar, the learned Advocate holding for Shri Chetan V. Bhadane, the learned Advocate for the Applicant and Shri M.P. Gude, the learned Presenting Officer for respondents.

2. Issue fresh notice to the Respondent No.1 returnable on 7.2.2018.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are 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. Applicants are 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.2 and 3.

9. S.O. to 7.02.2019.

MEMBER (J)

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

MISC. APPLICATION NO.337 OF 2017

WITH

MISC.APPLICATION ST.NO.973 OF 2017

IN

ORIGINAL APPLICATION ST. NO.974/2017

(Abdul Jabbar Abdul Rahim Shaikh & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :-

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

2. S.O. to 15.2.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**MISC. APPLICATION NO.384 OF 2018
IN
ORIGINAL APPLICATION ST.NO.1619/2018
(Shridevi M. Mahanwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

Heard Shri Hanumant P. Jadhav, the learned Advocate for the Applicant and Smt. Dipali Deshpande, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent Nos.3 and 4. It is taken on record and the copy thereof is served to the other side.

3. Learned P.O. for the Respondents submitted that affidavit-in-reply on behalf of the Respondent Nos.1 and 2 is not necessary.

4. For the reasons stated in Misc. Application, the delay of 28 days caused for filing the Original Application requires to be condoned in the interest of justice.

5. Hence, the Misc. Application is allowed. The delay of 28 days caused for filing Original Application is condoned. Registry is directed to register the O.A. after due scrutiny.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.228/2017
(Maroti S. Nilewad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :-

None for the Applicant. Heard Shri M.S. Mahajan, the learned Chief Presenting Officer for the Respondents.

2. Case be placed for passing dismissal order on 05-02-2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**ORIGINAL APPLICATION NO.319/2017
(Parsharam W. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :-

Heard Shri Kiran G. Salunke, the learned Advocate for the Applicant and Shri M.P. Gude, the learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, adjourned to 24.01.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**ORIGINAL APPLICATION NO.650/2017
(Subhas B. Choudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

Heard Shri A.P. Yenegure, the learned Advocate for the Applicant and Shri V.R. Bhumkar, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant on instruction received from the Applicant states that the Applicant does not want to proceed with the Original Application and wants to withdraw the same with liberty to approach this Tribunal on fresh cause of action. Therefore, he prayed to dispose of the Original Application.

3. Learned P.O. for the Respondents submits that necessary order may be passed.

4. As the Applicant does not want to proceed with the Original Application and wants to withdraw the same, the Original Application is disposed of as

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O.A.650/2017

withdrawn with liberty to Applicant to approach this
Tribunal on fresh cause of action.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**ORIGINAL APPLICATION NO.650/2017
(Subhas B. Choudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

Heard Shri A.P. Yenegure, the learned Advocate for the Applicant and Shri V.R. Bhumkar, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant on instruction received from the Applicant states that the Applicant does not want to proceed with the Original Application and wants to withdraw the same with liberty to approach this Tribunal on fresh cause of action. Therefore, he prayed to dispose of the Original Application.

3. Learned P.O. for the Respondents submits that necessary order may be passed.

4. As the Applicant does not want to proceed with the Original Application and wants to withdraw the same, the Original Application is disposed of as

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O.A.650/2017

withdrawn with liberty to Applicant to approach this
Tribunal on fresh cause of action.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**ORIGINAL APPLICATION NO.253/2018
(Chaaya K. Ingale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

None for the Applicant and Shri V.R. Bhumkar,
the learned Presenting Officer for the Respondents.

2. S.O. to 01.02.2019.

SAS ORAL ORDER 04-01-2019 bpp

MEMBER (J)

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
MISC. APPLICATION NO.421 OF 2018
IN
ORIGINAL APPLICATION NO.51 OF 2018
(David S. Ganthur V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

Heard Shri A.M. Nagarkar, the learned Advocate holding for Shri Kiran M. Nagarkar, the learned Advocate for the Applicant and Shri V.R. Bhumkar, the learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, adjourned to 08.02.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
MISC. APPLICATION NO.277 OF 2018
WITH
MISC.APPLICATION NO.04 OF 2019
IN
ORIGINAL APPLICATION NO.913 OF 2017
(Dilipkumar R. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

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

2. The Applicant has filed the Application to condone the delay of 28 days caused for filing Original Application.

3. Learned C.P.O. for the Respondents has no objection to condone the delay of 28 days caused for filing Original Application.

4. For the reasons stated in Misc. Application, M.A. is allowed and the delay caused for filing Original Application is hereby condoned.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**MISC.APPLICATION NO.04 OF 2019
IN
ORIGINAL APPLICATION NO.913 OF 2017
(Dilipkumar R. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

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

2. The Applicant has filed the application to restore the Original Application No.913 of 2017.

3. Learned C.P.O. for the Respondents has no objection to restore the Original Application No.913 of 2017 which has been dismissed as the Applicant has not collected the notices.

4. For the reasons recorded in the Application, Misc. Application No.04 of 2019 is allowed. Order of dismissal passed in Original Application No.913 of 2017 is set aside. Original Application No.913 of 2017 be restored to its original number.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.913 OF 2017
(Dilipkumar R. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, MEMBER (J)
DATE : 04.01.2019
ORAL ORDER :-

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

2. In view of the order passed in Misc. Application No.04 of 2019 on 04.01.2019, the Original Application No.913 of 2017 is restored to its original number.

3. On restoration issue fresh notice to the Respondents returnable on 18.2.2019.

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

5. Applicants are 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. Applicants are 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 18.02.2019.

10. Steno copy and Hamdast is allowed.

MEMBER (J)

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

MISC. APPLICATION NO.334 OF 2017

IN

ORIGINAL APPLICATION ST. NO.1291/2018

(Pundlik A. Bodkhe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2019

ORAL ORDER :-

None for the Applicant. Heard Smt. Dilapli S. Deshpande, the learned Presenting Officer for respondents.

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

3. S.O. to 1.2.2019.

MEMBER (J)

SAS ORAL ORDER 04-01-2019 bpp

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

**M.A. 2/2018 IN O.A. ST. 7/2019
(Shri Bapurao A. Dongar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

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

2. The present misc. application has been filed by the applicants for leave to sue jointly the accompanying O.A.

3. For the reasons stated in the present misc. application it is allowed and disposed of without any order as to costs and the applicants are permitted to sue jointly the accompanying O.A., subject to payment of requisite fees by each of the applicants.

4. Office to register the accompanying O.A. on due scrutiny.

VICE CHAIRMAN

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

O.A. ST. 7/2019

(Shri Bapurao A. Dongar & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

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

2. Issue notices to the respondents in the present Original Application, returnable on 6.2.2019.

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. Without filing any detailed affidavit in reply, the res. no. 3 – the Commissioner, Employees State Insurance Scheme, Mumbai – is hereby directed to take into consideration its communication dtd. 10.1.2018 issued to some of the applicants (page 124-A) that 422 posts would be filled in. It shall also take into consideration the submissions of the applicants that though appointment orders were issued to 422 candidates, out of them 44 candidates did not join and presently 44 posts are available to be filled in. Further the said respondent is also directed to consider the submissions of the present applicants that they are now eligible for issuance of appointment orders being waitlisted candidates. In the circumstances, taking into consideration all these facts, the res. no. 3 shall consider the representation made by some of the applicants to it dtd. 9.8.2018 (Annex.

A. 7 page 121) for their appointment and shall take a decision regarding issuing appointment order, if any, and file compliance report in that regard before this Tribunal on the next date.

If for any valid reasons the res. no. 3 comes to the conclusion that no corrective steps can be taken in the present matter, then a short affidavit mentioning reasons therefor be filed on the next date.

The res. no. 3 shall also consider that the period of select list including the waiting list may lapse on 26.2.2019 the corrective steps and / or short affidavit as mentioned above be filed by the next date positively.

9. S.O. to 6.2.2018.

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

VICE CHAIRMAN

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

**C.P. 57/2018 IN O.A. 210/2013
(Shri Madhukar R. Mapari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

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

2. Learned P.O. submits that Dr. Shyamkant D. Gawande, Dist Malaria Officer, Jalna is present before the Tribunal. However, there are no instructions from the res. no. 1 regarding compliance of the order dtd. 20.12.2018. The order dtd. 20.12.2018 is self explanatory, which would show that the res. no. 1 without paying any heed to the earlier orders of the Tribunal passed an order. Vide order dtd. 20.12.2018 one fair opportunity was given to the res. no. 1 to correct the order by pointing out said deficiency, still no instructions are received to the learned P.O. from the res. no.1.

3. In the circumstances, though the case is not made out, at the request of learned P.O., S.O. to 7.2.2019 for taking corrective steps along with costs of Rs. 25,000/- to be paid by the res. no. 1 Dr. Pradipkumar Vyas, Principal Secretary, Public Health

Department, Mantralaya, Mumbai personally in this Tribunal, failing which the necessary order like issuing warrant, if any, may be passed on the next date.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 440/2018
(Shri Shivaji D. Sirsat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that the present O.A. is not maintainable as no cause of action is arisen. However, for detailed hearing, S.O. to 28.1.2019 by the Division Bench. At the request of learned Advocate for the applicant, liberty to file misc. application for amendment is hereby granted.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2019

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

**ORIGINAL APPLICATION NOS. 603, 604, 605, 606, 607, 608, 609
AND 780 ALL OF 2017
(Shri Jaideep A. Limbale & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

Heard Shri A.S. Deshmukh & Ms. Preeti Wankhade, learned Advocates for the applicants in respective matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these matters.

2. In view of non availability of the Division Bench, S.O. to 31.1.2019 for hearing. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2019

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

**M.A. 194/2018 IN O.A. ST. 704/2018
(Shri Nilesh S. Badgujar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

Heard Shri S.R. Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply of the respondents in the present M.A. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. In the circumstances, S.O. to 24.1.2019 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2019

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

**M.A. 1/2019 WITH M.A. 372/2018 IN O.A. 581/2018
WITH
M.A. 521/2018 IN O.A. 818/2018
(Smt. Vaishali R. Barhate & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for himself and holding for Shri G.K. Muneshwar, learned Advocate for the applicants in both the matters and Smt. M.S. Patni, learned Presenting Officer for the respondents in both the matters.

2. At the request of learned Advocate for the applicants, S.O. to 8.1.2019 for hearing by the Division Bench.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2019

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

Heard S/shri V.B. Wagh & Shamsundar B. Patil,
learned Advocates for the applicants in respective
matters and Shri V.R. Bhumkar, learned Presenting
Officer for the respondents in all these matters.

2. In view of non availability of the Division Bench,
S.O. to 14.1.2019 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2019

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

**ORIGINAL APPLICATION NO. 570/2013
(Shri Nitin K. Salunkhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

Heard Ms. Rebekah Danian, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of non availability of the Division Bench, S.O. to 11.2.2019 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2019

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 545/2015
(Shri Rajesh P. Unhale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN

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

DATE : 04.01.2019

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for
the applicant and Smt. Deepali S. Deshpande, learned
Presenting Officer for the respondents.

2. In view of non availability of the Division Bench,
S.O. to 12.2.2019 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2019

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

**ORIGINAL APPLICATION NO. 845 OF 2017
(Shri Rambhau L. Kuskar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the Single
Bench due to non-availability of Division
Bench.]**

DATE : 04.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks liberty to file some documents on record to show that the similarly situated employees were granted benefits claimed in the present O.A. by the respondents themselves. Liberty as prayed for is hereby granted.

3. He has filed copies of documents on record, which were received to him under Right to Information Act and the same are taken on record and marked as document 'X' for the purposes of identification. The copies of the same have been served on the learned Presenting Officer.

4. Learned Presenting Officer seeks time to take instructions from the concerned respondents for taking corrective steps, if any. At her request, S.O. to 14.02.2019 for reporting about corrective steps, if any.

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 321 OF 2017
(Smt. Manisha P. Jagtap Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the
Single Bench due to non-availability of
Division Bench.]**

DATE : 04.01.2019

ORAL ORDER :

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

2. In view of non-availability of the Division Bench,
S.O. to 11.02.2019.

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 813 OF 2018
(Shri Robinson R. Masih Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the
Single Bench due to non-availability of
Division Bench.]**

DATE : 04.01.2019

ORAL ORDER :

Shri N.B. Narwade, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned C.P.O., S.O. to 11.02.2019 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 642 OF 2018
(Dr. Pankaj R. Patil Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the
Single Bench due to non-availability of
Division Bench.]**

DATE : 04.01.2019

ORAL ORDER :

Heard Shri Vinod P. Patil, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.
3. S.O. to 13.02.2019 for filing affidavit in reply and / or for deciding the proposal.
4. Learned Presenting Officer to act on steno copy.

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 68 OF 2018
(Shri Kishan D. Kadam Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the
Single Bench due to non-availability of
Division Bench.]**

DATE : 04.01.2019

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the
applicant (**absent**). Smt. M.S. Patni, learned
Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, S.O.
to 11.02.2019 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 486 OF 2017
(Smt. Vijeta M. Ade Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the
Single Bench due to non-availability of
Division Bench.]**

DATE : 04.01.2019

ORAL ORDER :

Shri M.D. Godhamgaonkar, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. It appears from the proceedings that affidavit in reply on behalf of respondent Nos. 1 & 2 has already been filed on record.

3. In view of non-availability of Division Bench, S.O. to 07.02.2019 for hearing.

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd

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

**C.P.NO. 1/2019 IN O.A.NO. 534/2014
(Shri Madhukar S. Ingale Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the
Single Bench due to non-availability of
Division Bench.]**

DATE : 04.01.2019

ORAL ORDER :

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 the respondents.

2. Issue notice to respondents in the present C.P. No. 1/2019, returnable on 05.02.2019.
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 05.02.2019.

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

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 863 OF 2018
(Shri Ajay I. Jarwal Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the
Single Bench due to non-availability of
Division Bench.]**

DATE : 04.01.2019

ORAL ORDER :

Heard Shri A.D. Gadekar, 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 24.01.2019.

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd

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

**C.P.NO. 71/2018 IN O.A.NO. 59/2014
(Smt. Mangala D. Lasurkar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, VICE CHAIRMAN
[The present case is placed before the
Single Bench due to non-availability of
Division Bench.]**

DATE : 04.01.2019

ORAL ORDER :

Heard Shri D.K. Dagadkhair, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that he has no instructions from any of the respondents regarding compliance of the order passed in O.A. It is to be noted that personal notices were served upon respondent Nos. 4 & 5 by the applicant before filing the present contempt petition adverting their personal attention to the order passed in O.A. and for compliance of the said order.

3. In view of behaviour of the respondent Nos. 4 & 5 even not to pay any attention to the notice issued in the present contempt petition solely at the request of learned Presenting Officer, **S.O. to 05.02.2019** for compliance of the order passed in the O.A. with deposit of costs of Rs. 20,000/- each by respondent No. 4 viz. Shri Rahul Rekhawar, the Collector, Dhule

:: - 2 - ::

**C.P. NO. 71/2018 IN O.A.
NO. 59/2014**

& respondent No. 5 viz. Shri Ganesh Ekhanath Misal,
the Deputy Collector, Dhule.

4. Failing in compliance of this order may entail
into warrant against these respondents.

5. Steno copy and hamdust is allowed to both the
parties.

VICE CHAIRMAN

ORAL ORDERS 04.01.2019-hdd