

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

**ORIGINAL APPLICATION NO. 852/2016  
(Ankush K. Takale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant wants to amend the O.A. He is permitted to do so.

3. In the circumstances, S.O. to 8.3.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 169/2017  
(Sandeep R. Chavan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant seeks time. Time granted.

3. In the circumstances, the matter is removed from the board for time being. The Office to place the matter before the Division Bench for final hearing in due course of time.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018

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

**O.A. NO. 662/2017 WITH M.A. 447/2017  
(Rohit D. Pandit V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 & 2 and Shri V.B. Wagh, learned Advocate for respondent no. 3.

2. The learned Advocate for the res. no. 3 seeks accommodation till tomorrow. At his request S.O. to 22.2.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 307/2016  
(Dr. Namdeo R. Pawar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Pleadings are complete and, therefore, the O.A. is hereby admitted.

3. The office to place the present matter for final hearing before the Division Bench in due course of time.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 560/2016  
(Ashok B. Kamble V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri H.V. Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. It seems that the contesting respondents have filed affidavit in replies in the present matter. Hence, Admit.

3. The learned Advocate for the applicant prays for time till tomorrow for final hearing. Time granted.

4. S.O. to 22.2.2018 for final hearing.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 797/2016  
(Gaurav A. Chavan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 16.3.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for respondent nos. 1 & 2 and Shri I.D. Maniyar, learned Advocate holding for Shri S.G. Kawade, learned Advocate for respondent nos. 4, 5 & 10. None appears for other respondents.

2. The learned P.O. files on record affidavit in reply of res. no. 2. It is taken on record. He undertakes to serve copy thereof upon the learned Advocate for the applicant.

3. The learned Advocate for res. nos. 4, 5 & 10 seeks time to file affidavit in reply of respective respondents. Time granted.

4. S.O. to 22.3.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NOS. 118, 119 & 120/2017  
(Smt. Manasi K. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Smt. Juee Palekar – Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. P.R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant submits that the applicant does not want to file application for amendment. The learned P.O., however, submits that, she wants to file sur-rejoinder for which she seeks two weeks' time.

3. S.O. to 19.3.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018



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

**ORIGINAL APPLICATION NO. 408/2017  
(Shivram S. Kamble V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. It appears that pleadings are complete. Hence, Admit.

3. Place the matter before the Division Bench for final hearing in due course of time.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ARJ ORAL ORDERS 20-02-2018

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

**REV. APPLICATION NO. 11/2016 In ORIG. APPLICATION 03/2012  
(Kailas Pandit Bodkhe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant submits that in the judgment and order in O.A. No. 3/2012 delivered on 20.10.2016 in para 17 this Tribunal has observed that, there seems to be no vacancy for O.B.C. candidate at present and, therefore, the applicant's claim for the post of Police Constable was rejected.

3. The learned Advocate for the applicant submits that, in-fact, 11 posts were there for O.B.C. category, out of 102. From perusal of the judgment of the Tribunal, it appears that, this Tribunal has considered the fact that, as per the advertisement, the competent authority was authorized to change the number of posts advertised as per the requirement and in the affidavit in reply, the respondents came with a case that 5 posts were to be reserved for appointment on compassionate ground and

therefore, there was some change in the quota. In view thereof, the competent authority considered the case and as many as 10 persons have been appointed from O.B.C. category, which also includes Project Affected Persons. It is material to note that, as per the list at page 30 two candidates under P.A.P. of O.B.C. category have been appointed.

4. We, therefore, do not find any merits in the present Rev. Application. The observations are made in the judgment and order passed in O.A. are on considering the merit of the case and if the applicant is aggrieved by the said judgment, he is at liberty to approach before the appellate forum or to file writ petition against the said judgment.

5. In the circumstances, the Review Application stands dismissed with no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

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

**REV. APPLICATION NO. 3/2017 In ORIG. APPLICATION 341/2014  
(Shivaji K. Suryawanshi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Shri R.B. Narwade Patil, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondents, is present.

2. Vide order dtd. 5.10.2017 passed by the learned Member had observed in para 2 as under :-

“2. Perused the order dated 13<sup>th</sup> July, 2017 passed by this Tribunal. It prima facie appears that while advertisement, (page-80), does not provide that the candidate should process the license for transport vehicle, the applicant, however is insisting that the respondent No. 3 could not have been selected, as he does not possess any license of transport category.”

3. Since the matter was concerning with the Division Bench, it is placed before us today. Today none is present for the applicant. We have perused the order passed by the Tribunal in O.A. no. 341/2014 dtd. 5.12.2014, which the applicant wants to review.

4. We do not find any apparent error on the face of record. There is no need to review the order of the Tribunal in O.A. no. 341/2014.

5. Hence, the Review Application stands dismissed with no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

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

**T.A.2/16 (W.P.1209/15) WITH O.A. 232/16 WITH M.A. 127/16 IN  
T.A.3/16 (W.P.12032/15)  
(Rucha S. Tandale & Ors. V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in T.A.2/16 & O.A. 232/16, Shri Mohit Deshmukh, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant in T.A. 3/16, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent no. 1, Shri M.B. Kolpe, learned Advocate for respondent no. 2 in all the matters and Shri V.B. Wagh, learned Advocate for respondent nos. 3 to 6 in T.A. no. /2016.

2. As per the order passed by the Hon'ble High Court in W.P. no. 1202/2015 on 6.1.2016, the interim relief was granted in following terms :-

- “a) Respondent No. 2 – MPSC shall allow the petitioners to appear for the Main Examination scheduled to be held on 9<sup>th</sup> and 10<sup>th</sup> January, 2016 and for that matter permit the petitioners to submit the application forms and necessary fees for the Main Examination either manually or On-line by tomorrow i.e. 7.1.2016;

**::-2-::**  
**T.A.2/16 (W.P.1209/15) WITH O.A.**  
**232/16 WITH M.A. 127/16 IN**  
**T.A.3/16 (W.P.12032/15)**

- b) After valuation of the answer sheets of the petitioners of the Main Examination, the result thereof shall be kept in a sealed envelope, subject to further orders of this Court;
- c) We make it clear that the ad interim relief granted today is without prejudice to the contentions of the respondents on merits of the matter.
- e) We further observe that the petitioners shall not claim any equity on the basis of the ad interim relief granted today.”

3. Subsequently, the W.Ps. came to be transferred to this Tribunal for hearing and disposal.

4. Shri Wagh, learned Advocate for the added respondents submits that the respondents are waiting for appointment since they have already been selected, but due to interim relief granted in the present matters, the appointment orders have not been issued.

5. The M.P.S.C. has not yet declared the result of main examination as well as oral examination, so far as the applicants are concerned. It is, therefore, agreed that in case the result of main examination and oral examination is declared and the applicants have been found not fit, in that case the respondent authority will be at

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**T.A.2/16 (W.P.1209/15) WITH O.A.**  
**232/16 WITH M.A. 127/16 IN**  
**T.A.3/16 (W.P.12032/15)**

liberty to appoint newly added respondents and there will be no hurdle in it. In the applicants are declared successful in the main and oral examination, then question of their eligibility will have to be considered.

6. For this purpose the learned Advocate for the M.P.S.C. is directed to take instructions as regards result of the applicants in the main & oral examinations in which they appeared as per the directions of the Hon'ble High Court and make a statement to that effect before this Tribunal. He submits that necessary statement would be made on tomorrow. Hence, S.O. to 22.3.2018.

7. Steno copy allowed for the use of learned Advocate for the res. no. 2 M.P.S.C.

**MEMBER (A)**

**VICE CHAIRMAN (J)**



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

**ORIGINAL APPLICATION ST. NO. 3049/2016  
(Uttam Ramrao Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The applicant is claiming following main reliefs in this O.A. :-

“B-1) Respondents may kindly be directed to extend benefits of clauses 2-C of Government Resolution dated 1.4.2010 for second phase of pay fixation on completing 12 years of continuous service w.e.f. 1.10.1994 and also grant all consequential benefits arising therefrom such as revised pay and pension fixation in accordance with government resolution dated 9.12.2016;

C) By issuing an appropriate order or direction, respondent may kindly be directed to extend benefits of clause 2-C of Government Resolution dated 1.4.2010 for second phase of pay fixation on completing of 12 years continuous service with effect from 1.10.1994 and also grant all consequential benefits arising there from such as revised pay and pension fixation.”

3. So far as prayer clause B is concerned, it is now admitted that the clause 1 of Annex. A of the G.R. dtd. 1.7.2011 has been declared as ultra vires. This Tribunal has also passed order in a group of matters consisting of O.A. no. 296/2012 and others on 22.4.2014 and was pleased to direct that the clarification / explanation of G.R. dtd. 1.7.2011 issued by the Finance Department is unconstitutional and hence it was quashed. It was held that the Government employees, who retired after 1.10.2006 till 31.3.2010 shall be extended the benefits of Clause No. 2 (c) of G.R. dated 1.4.2010 and be granted all consequential benefits, arising there from, provided they fulfill the conditions mentioned in Paragraph No. 2 of the said G.R. This judgment of the Tribunal has been confirmed by the Hon'ble Bombay High Court in W.P., no. 7062/2014 and the group on 24.6.2016.

4. The Government of Maharashtra has also issued G.R. dtd. 9.12.2016 and has made applicable the said G.R. to those employees, who retired in between 1.10.2006 to 31.3.2010. Copy of the said G.R. is taken on record and marked as document 'X' for the purpose of identification. In view of these developments, if the applicant is entitled to be considered fit for second time bound promotion, he cannot be denied such promotional scale merely on the ground that he got retired in the year 2010. The learned Advocate

for the applicant submits that the applicant has been retired on 28.2.2010 and, therefore, he is eligible.

5. In view of the facts narrated in foregoing paragraphs, the present O.A. is partly allowed in terms of prayer clause B-1. The respondents shall consider the case of the applicant for eligibility of second time promotion in view of various pronouncements of this Tribunal and the Hon'ble High Court and also in view of G.R. dtd. 9.12.2016 and shall re-fix his pay scale and shall grant all consequential financial benefits, if the applicant is eligible. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO. 558 OF 2017  
(Shri Shankar S. Dubey V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

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

2. After hearing the matter for considerable  
time, the learned Advocate for the applicant  
seeks to place on record amended Rules, if any.

3. S.O. to 22.02.2018.

4. The matter is to be treated as part heard.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri M.R. Khutwad, learned Advocate for  
the applicant and Smt. P.R. Bharaswadkar,  
learned Presenting Officer for respondents.

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

3. S.O. to 21.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 762 OF 2017  
(Shri Manoranjan R. Dhas V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri P.B. Rakhunde, learned Advocate holding for Shri A.N. Nagargoje, learned Advocate for the applicant and Smt. P.R. Bharaswadkar, learned Presenting Officer for respondents.

2. On the request and by consent of both the parties, S.O. to 19.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NOS. 820, 821, 822, 929, 956, 944 & 945  
ALL OF 2017**

**(Smt. Aruna K. Sanap & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri S.D. Munde, learned Advocate  
for the applicants in all these O.As. and Shri M.S.  
Mahajan & Smt. P.R. Bharaswadkar, learned  
Chief Presenting Officer and Presenting Officer  
for respondents in all these O.As.

2. Learned Presenting Officer seeks time to file  
affidavit in reply on behalf of respondents in all  
these O.As. Time granted as a last chance.

3. S.O. to 20.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 848 OF 2017  
(Smt. Ranipanchsheela S. Bansode V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1, 3 & 4. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. On the request of learned P.O., S.O. to 09.03.2018 for filing affidavit in reply on behalf of respondent No. 2.

**MEMBER (A)**

**VICE CHAIRMAN (J)**



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

**ORIGINAL APPLICATION NO. 928 OF 2017  
(Shri Santosh T. Vaidya V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri G.B. Kingre, learned Advocate holding  
for Shri R.L. Kute, learned Advocate for the  
applicant and Smt. P.R. Bharaswadkar, learned  
Presenting Officer for respondents.

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

3. S.O. to 22.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 941 OF 2017  
(Dr. Pushpa W. Salunke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate holding  
for Shri Shamsundar B. Patil, learned Advocate  
for the applicant and Shri I.S. Thorat, learned  
Presenting Officer for respondents.

2. On the request of learned Advocate for the  
applicant, S.O. to 23.02.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 958 OF 2017  
(Smt. Nalinidevi R. Thakor V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri R.M. Patil, learned Advocate for the applicant (**Absent**). Smt. P.R. Bharaswadkar, learned Presenting Officer for respondents, present.

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

3. S.O. to 21.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 20 OF 2018  
(Shri Rameshwar D. Dandge V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

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

2. Learned Chief Presenting Officer seeks time  
to file affidavit in reply on behalf of respondents.

Time granted.

3. S.O. to 16.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 25 OF 2018  
(Shri Sachin R. Salve V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri S.D. Dhongde, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 to 3 and Shri S.B. Bhosale, learned Advocate for respondent Nos. 4 & 5, are present.

2. Learned Presenting Officer for respondent Nos. 1 to 3 as well as learned Advocate for respondent Nos. 4 & 5 seeks time to file affidavit in reply. Time granted.

3. S.O. to 16.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 36 OF 2018  
(Shri Manohar D. Late V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri P.B. Rakhunde, learned Advocate for  
the applicant and Shri S.K. Shirse, learned  
Presenting Officer for respondents.

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

3. S.O. to 19.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 37 OF 2018  
(Shri Dnyandeo N. Kadam V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri P.B. Rakhunde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. S.O. to 19.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 47 OF 2018  
(Shri Nathrao S. Kedar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

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

2. Learned Advocate Shri U.P. Gire, has filed Vakalatnama on behalf of respondent No. 6. Same is taken on record. He seeks time to file affidavit in reply on behalf of respondent No. 6. Time grated.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 to 5. Time granted.

3. S.O. to 19.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**



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

**M.A. No. 64/2017 in O.A. No. 100/2017  
(Shri Milind V. Sonkamble V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

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

2. On the request of learned P.O. S.O. to  
22.02.2018 for final hearing.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**M.A. No. 118/2017 in O.A. St. No. 346/2017  
(Shri Udhav B. Pavale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri J.R. Patil, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 3 and Shri V.B. Wagh, learned Advocate holding for Shri Shamsundar B. Patil, learned Advocate for respondent Nos. 4 to 6 .

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

3. S.O. to 20.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

Kpb ORAL ORDERS 21-02-2018

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

**ORIGINAL APPLICATION NO. 627 OF 2017  
(Shri Baliram V. Kadam V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri S.D. Munde, learned Advocate holding for Shri Amol Patil Chalak, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. In this Original Application, the applicant is claiming appointment for the post of Peon in view of the Government Resolution dated 02.12.2015 in pursuance to the advertisement of the year 2014.

3. Learned Advocate for the applicant has submitted that during pendency of the O.A., the applicant has been appointed on the post of Peon and therefore, nothing survives in the present O.A. In view of this, the O.A. stands disposed of accordingly with no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO. 627 OF 2017  
(Shri Kailas R. Shriramwar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Shri R.B. Narwade Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. It transpires from the proceedings that on 28.08.2017, Chamber Appeal was allowed, since the applicant has undertaken to remove all the office objections. However, the applicant did not remove the office objections. The Registrar of this Bench has again placed the matter before the Tribunal. The Hon'ble Vice Chairman Justice M.T. Joshi, has directed that the matter be placed before the Division Bench.

3. Accordingly, the same has been placed today before us. Today also nobody appeared for the applicant, from which it seems that the applicant may not be interested in prosecuting the O.A. and therefore, the same stands dismissed in default with no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

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

**M.A. No. 385/2017 in O.A. St. NO. 967/2017  
(Shri Sharad G. Jade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent in M.A.. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Advocate for the applicant submits that by way of ample precaution, he has filed the present Misc. Application for condonation of delay and in fact, there is no delay at all. He has invited our attention to the communication dated 22.06.2017 which is at paper book page No. 93 (Annexure A-10), from which it seems that the

applicant was intimated that since the Government has filed appeal against the order of his acquittal before the Hon'ble High Court and since the said appeal is pending, the applicant's case for promotion has been kept open and the same will be subject to the decision in the appeal. Learned Advocate for the applicant submits that the said decision cannot be said to be conscious decision and there were various G.Rs. in the field which provides for order to be issued even though the appeal is pending. The substantial question can be considered on merit. Since the applicant has challenged the order dated 22.06.2017, the O.A. prima-facie seems to be within limitation. For the reasons stated in the application, the Misc. Application for condonation of delay is allowed and stands disposed of. The O.A. be registered and numbered.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

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

**O.A. St. NO. 967/2017  
(Shri Sharad G. Jade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
&  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 22.03.2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. S.O. to 22.03.2018.

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

**MEMBER (A)**

Kpb ORAL ORDERS 21-02-2018

**VICE CHAIRMAN (J)**



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

**ORIGINAL APPLICATION NO. 550 OF 2014**

[Shri Jagannath K. Kagle & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri H.A. Joshi, 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 22.03.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD

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

**ORIGINAL APPLICATION NO. 327 OF 2017**

[Shri Ajay R. Pofale Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri S.R. Dheple, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 & 2 and Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent Nos. 3 & 4.

2. At the request of learned Advocate for the applicant, S.O. to 16.03.2018, to enable him to file rejoinder affidavit and amendment application. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD

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

**ORIGINAL APPLICATION NO. 73 OF 2018**

[Shri Kashinath G. Kadam Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri P.S. Mehta, learned Advocate holding for Shri P.P. Mandlik, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant has been convicted by the Competent Court against which he has filed appeal before the Hon'ble High Court and in the appeal the sentence has been suspended. Admittedly, there is no stay to the conviction. Learned Advocate for the applicant submits that before issuing order of termination due opportunity was not given to the applicant as per proviso to Rule 13 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.

3. Learned Chief Presenting Officer is, therefore, directed to take instructions as to whether any show cause notice was issued to the applicant before terminating his services.

4. At the request and by consent of both the parties, S.O. to 22.02.2018.

**MEMBER (A)                      VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD

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

**ORIGINAL APPLICATION NO. 92 OF 2018**

[Shri Ravi R. Pimpale Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri Manoj Dond, learned Advocate holding for Shri C.K. Shinde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 22.03.2018.

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

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

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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. S.O. to 22.03.2018.

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

**MEMBER (A)**

**VICE CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO. 102 OF 2018**

[Smt. Lakshmi P. Dakewad Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate holding for Shri Ashish B. Rajkar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.02.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD

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

**M.A.NO. 46/2018 IN O.A.ST.NO. 207/2018**

[Shri Santoshkumar A. Kaul Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri S.B. Bhosale, 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 22.02.2018, to enable him to take instructions from his client i.e. the applicant as regards withdrawal of the present Original Application.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD

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

**ORIGINAL APPLICATION NO. 295 OF 2003**

[Shri Pradeep S. More & 20 Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Smt. Vidya Taksal, leaned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request and by consent of both the parties, S.O. 23.02.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD

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

**T.A.NO. 01/2011 [W.P.NO. 2246/2009]**

[Dr. Santosh L. Munde & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri B.R. Jaybhaye, learned Advocate holding for Shri A.N. Irpatgire, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents

2. At the request of learned Advocate for the applicant, S.O. to 22.02.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD



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

**ORIGINAL APPLICATION NO. 453 OF 2011**

[Shri Sopan B. Adkine Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri R.J. Godbole, learned Advocate  
for the applicant and Smt. Resha S. Deshmukh,  
learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the  
applicant, S.O. to 22.02.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD

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

**ORIGINAL APPLICATION NO. 608 OF 2015**

[Shri Pradeep D. Pawar Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)  
AND  
P.N. DIXIT, MEMBER (A)**

**DATE : 21.02.2018.**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate holding for Smt. S.R. Bhillegaonkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. 22.02.2018.

**MEMBER (A)**

**VICE CHAIRMAN (J)**

ORAL ORDERS 21.02.2018-HDD

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

**ORIGINAL APPLICATION NO.99/2018  
(Shri Sanjay Patange V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri S.B.Mene learned Advocate holding for Shri A.S.Deshpande learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 26-03-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. S.O.to 26-03-2018.
8. Steno copy and Hamdast is allowed to both parties.

**VICE-CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO.959/2017  
(Shri Ramrao Kulkarni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Shri S.D.Joshi learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for respondents is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 28-02-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**M.A.No.49/2018 IN O.A.St.No.217/2018  
(Shri Kiran Phad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Issue notices to the respondents in the M.A., returnable on 22-03-2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. S.O.to 22-03-2018.

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

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION ST. NO.142/2018  
(Vishwas Thore V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that he will file application for condonation of delay by way of ample precaution for which he seeks one week's time. Time is granted.

3. S.O. to 01-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION ST. NO.143/2018  
(Ramdas Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri R.P.Bhumkar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 28-03-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. S.O.to 28-03-2018.
8. Steno copy and Hamdast is allowed to both parties.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.14/2017  
(Ravindra Varade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents.

2. In this O.A. the applicant is claiming following reliefs:

*“12-(A) This Original Application may kindly be allowed thereby directing the Resp. No.2 to carry out necessary correction in Annex. A-8 Wait List of compassionate appointment seekers by placing applicant's name therein at Sr.No.1 on the basis of the date of his original application i.e. 26/12/2003 and likewise the Resp. No.4 may also be directed to carry out the necessary correction in the Wait List maintained by his office and assign proper placement to the applicant on the basis of said date of his application i.e. 26/12/2003.*

*(B) This Original Application may kindly be allowed by further directing the Respondents in general and the Resp. No.2 in particular to forthwith consider applicant's claim for compassionate appointment on the basis of his revised position in Annex. A-8 Wait List of compassionate appointment on the basis of his revised appointment seekers and consequently give him appointment in the Group-D/Class IV category.”*



3. Today, learned P.O. has placed on record one communication dated 20-02-2018, which is marked as document "X" for the purpose of identification. From the said communication it seems that the applicant's name has been included in the wait list of the candidates to be appointed on compassionate ground at Sr.No.8-A. It, therefore, seems that main grievance of the applicant has been redressed.

4. Learned Advocate for the applicant submits that the only direction to be issued to the respondent no.2 is that the applicant's claim be considered on the basis of such seniority position in the wait list.

5. Learned P.O. submits that the applicant's claim will be considered as per revised seniority.

6. In view thereof, O.A. stands disposed of accordingly with no order as to costs.

**VICE-CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO.16/2017  
(Sk. Mukhtar Sk. Noor Ali V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Shri M.D.Godhamgaonkar learned Advocate for the applicant has filed **leave note** on record. Smt. Resha Deshmukh learned Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 28-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.138/2017  
(Shri Babu Phule V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Shri M.D.Godhamgaonkar learned Advocate for the applicant has filed **leave note** on record. Shri I.S.Thorat learned Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 28-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.151/2017  
(Nagorao Faliwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri S.B.Bhosle learned Advocate holding for Shri S.P.Brahme learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. On the request of learned Advocate for the applicant, S.O. to 16-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.331/2017  
(Dr. Mukesh Mote V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for respondents and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO.332/2017  
(Dr. Anil Biradar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Shri V.R.Bhumkar learned Presenting Officer for respondents and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO.333/2017  
(Dr. Sheetal w/o. Arvind Soni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for respondents and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO.334/2017  
(Dr. Anant Chavan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F



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

**ORIGINAL APPLICATION NO.335/2017  
(Dr. Ganpati Wadekar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.336/2017  
(Dr. Yogesh Solanke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for respondents and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO.337/2017  
(Dr. Ravindra Bhalerao V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.338/2017  
(Dr. Govind Reddy V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.349/2017  
(Dr. Ashok Waghmare V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant, Smt. Resha Deshmukh learned Presenting Officer for respondents and Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent no.4.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

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

**ORIGINAL APPLICATION NO.421/2017  
(Dr. Shamrao Sawant V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.422/2017  
(Dr. Sheshrao Narwade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.423/2017  
(Dr. Pandurang Pawde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Applicants is claiming direction for releasing annual increments and leave benefits as admissible under the policy decision dated 01-03-1997 in the light of law laid down by this Tribunal in O.A.No.242/2009 & Ors. dated 02-05-2016. A copy of said judgment is also placed on record at paper book page 25-48.

3. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

4. Respondents to file specific affidavit as to whether the case of the applicant is covered as per said judgment or not.

5. S.O. to 20-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F



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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri Vivek Pingle learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of the respondent no.2 in compliance with the order of the Tribunal dated 10-01-2018. He undertakes to supply the copy of the reply on the other side.

3. S.O. to 13-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.610/2017  
(Smt. Kamalbai Hatte V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri R.B.Wankhede learned Advocate holding for Shri S.K.Mathpati learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for respondents and Shri M.K.Bhosle learned Advocate for respondent no.5.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted as a last chance.

3. S.O. to 13-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.729/2017  
(Vijay Salve V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof has been served on the other side.

3. Since the pleadings are completed, the O.A. is admitted. It may be kept for final hearing on 28-03-2018.

4. S.O. to 28-03-2018 for final hearing.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.948/2017  
(Neha Pawar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Shri H.P.Jadhav learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned CPO seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 27-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.952/2017  
(Vilas Shirolkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Arguments of both sides are heard at length. Case is reserved for order.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**M.A.No.258/2017 IN O.A.St.No.910/2017  
(Sau. Seema Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri M.M.Paraghane learned Advocate holding for Shri Gajanan Kadam learned Advocate for the applicant, Smt. Resha Deshmukh learned Presenting Officer for respondents and Shri Pradeep Shahane learned Advocate for respondent no.8.

2. On the request of learned Advocate for the applicant, S.O. to 21-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**M.A.NO.262/2017 IN O.A.ST.NO.521/2017  
(Rajendra Jagdale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Applicant is claiming benefit of G.R. dated 01-04-2010 and also revision in the pay fixation. Revision of pay fixation is the cause of action which is having continuous effect.

3. For the reasons stated in the M.A. and considering the fact that the applicant has already retired, delay caused in filing the O.A. is condoned in the interest of justice. M.A.No.262/2017 stands disposed of accordingly with no order as to costs.

4. O.A. be registered and numbered after removal of office objections, if any.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**O.A.ST.NO.521/2017  
(Rajendra Jagdale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 28-03-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. S.O.to 28-03-2018.
8. Steno copy and Hamdast is allowed to both parties.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F



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

**M.A.No.320/2017 IN O.A.St.No.423/2017  
(Tushar Mahajan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Shri R.N.Bharaswadkar learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. Learned P.O. files affidavit in reply in the M.A. for condonation of delay on behalf of respondent nos.1, 3 and 5. It is taken on record. Learned P.O. undertakes to serve copy of the reply on the other side.

3. S.O. to 28-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**M.A.No.488/2017 IN O.A.No.840/2017  
(Shivaji Wyal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Shri R.B.Ade learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.2 to 4. It is taken on record. Learned P.O. undertakes to serve copy of the reply on the other side.

3. S.O. to 28-03-2018.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F

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

**ORIGINAL APPLICATION NO.579/2016  
(Dnyaneshwar Gavade & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : J.D.KULKARNI, VICE-CHAIRMAN (J)**

**DATE : 21.02.2018**

**ORAL ORDER :**

Heard Shri S.D.Dhongde learned Advocate for the applicants and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Arguments of both sides are heard at length. Case is reserved for order.

**VICE-CHAIRMAN (J)**

YUK ORAL ORDER 21-02-2018 F