

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

**ORIGINAL APPLICATION NO.52/2018
(Sd. Mujahad Ali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

Heard Shri G.B.Gadkari learned Advocate holding for Shri K.B.Jadhav learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents is present.

2. At the request of learned Advocate for the applicant, S.O. to 05-02-2018.

VICE CHAIRMAN

YUK ORAL ORDER 31-01-2018 CV F

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

**M.A.No.32/2017 IN O.A.St.No.883/2016
(Dwarkabai Ramteke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

Heard Shri Sudhir Patil learned Advocate holding for Dr. Kalpalata Patil-Bharaswadkar learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Learned P.O. files separate affidavits in reply on behalf of respondent nos.3 and 4 in the M.A. Those are taken on record. Copies thereof have been served on the other side.

3. Learned Advocate for the applicant has prayed for recalling the order dated 23-12-2016 and restoration of the O.A. on its original stage.

4. For the reasons stated in the M.A., same is allowed without any order as to costs.

VICE CHAIRMAN

YUK ORAL ORDER 31-01-2018 CV F

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

**Original Application St.No.883/2016
(Dwarkabai Ramteke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

Heard Shri Sudhir Patil learned Advocate holding for Dr. Kalpalata Patil-Bharaswadkar learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Learned Advocate for the applicant states that office objection as regards M.A. for condonation of delay caused in filing the O.A. would be removed and M.A. for condonation of delay would be filed within a period of 2 weeks. The amendment as directed earlier would also be made.

3. In the circumstances, in case application for condonation of delay is filed within 2 weeks, office to accept the same and the M.A. be placed along with O.A. St. No.883/2016 on 22-02-2018.

4. S.O. to 22-02-2018.

VICE CHAIRMAN

YUK ORAL ORDER 31-01-2018 CV F

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

**C.P. 12/2018 IN O.A. 128/2017
(Gopinath B. Nalawade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

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

DATE : 31.01.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for
the applicant and Shri N.U. Yadav, learned
Presenting Officer for respondents.

2. At the request of learned P.O. S.O. to
7.2.2018 for taking instructions from the
respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 31-01-2018

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

**ORIGINAL APPLICATION NO. 60 OF 2018
(Dr. Dilip C. Shejwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

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

DATE : 31.01.2018

ORAL ORDER :

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

2. Issue notices to the respondents in the present O.A., returnable on 20.2.2018.

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

question 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 20.2.2018.

8. The issue of grant of interim relief is being kept open as the present applicant is to attain the age of 58 years today only.

9. Steno copy / hamdast allowed to the both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 85 OF 2017
(Nikita K. Bhange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

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

DATE : 31.01.2018

ORAL ORDER :

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

2. The learned P.O. submits that the Steno copy of the order dtd. 14.12.2017, though was received by the office of the Chief Presenting Officer, the same remained to be sent to the concerned respondent. In the circumstances at the request of learned P.O. S.O. to 26.2.2018 for compliance of the order dated 14.12.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 31-01-2018

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

**ORIGINAL APPLICATION NO. 781 OF 2017
(Bhagwan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

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

DATE : 31.01.2018

ORAL ORDER :

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

2. The learned P.O. seeks time to file affidavit in reply. It reveals that many chances were already granted to the respondents for filing affidavit in reply and in fact on the last date last chance was granted therefor. However, in the interest of justice, S.O. to 27.2.2018 for filing affidavit in reply with a warning that in case affidavit in reply is not filed on the next date, the Tribunal would be constrained to impose heavy costs on the concerned respondent with a direction that the said cost be recovered from the responsible Officer personally and entry to that effect be taken in his annual confidential report.

3. Steno copy allowed for the use of learned P.O.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 787 OF 2017
(Sadashiv & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

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

DATE : 31.01.2018

ORAL ORDER :

Heard Shri M.P. Tripathi, learned Advocate for the applicants and Smt. Spriya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time to file affidavit in reply. It reveals that many chances were already granted to the respondents for filing affidavit in reply and in fact on the last date last chance was granted therefor. However, in the interest of justice, S.O. to 27.2.2018 for filing affidavit in reply with a warning that in case affidavit in reply is not filed on the next date, the Tribunal would be constrained to impose heavy costs on the concerned respondent with a direction that the said cost be recovered from the responsible Officer personally and entry to that effect be taken in his annual confidential report.

3. Steno copy allowed for the use of learned P.O.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 854 OF 2017
(Uday V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

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

DATE : 31.01.2018

ORAL ORDER :

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

2. The learned C.P.O. submits that corrective steps cannot be taken as suggested vide order dtd. 29.11.2017 by this Tribunal. Thus, it appears that the concerned respondent has applied his mind and has decided to contest the present O.A.

3. In the circumstances, complete affidavit in reply shall be filed by the responsible Officer of the concerned respondent. S.O. to 1.3.2018 for filing complete affidavit in reply by the concerned respondent.

5. Steno copy allowed for the use of learned P.O.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 839 OF 2017
(Dr. Sayaji V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

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

DATE : 31.01.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant submits that he will file service affidavit during the course of the day. He also orally submits that all the respondents are duly served. The learned P.O. made a statement that she has received instructions from the respondents and affidavit in reply would be filed very soon. At her request S.O. to 15.2.2018 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 31-01-2018

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

M.A. 372/2017 IN O.A. 300/2017

(A'bad Dist. Talathi Sanghatana through its president Anil S. Suryawanshi V/s.
State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

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

DATE : 31.01.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant seeks time to satisfy the queries raised by the Tribunal regarding the fact that the staffing pattern of Awal Karkoons and Circle Officers as come in existence as on 21.11.1995 (Annex. A.1 of the O.A.) was only till rules regarding staffing pattern between these two posts are finalized. The other issue like promotion of Talathis sought to be raised by filing copy of Maharashtra Revenue Qualifying Examination for promotion to the post of Circle Officer (from the cadre of Talathis) Rules, 1998 are not material to the present issue.

3. It prima-facie appears that once rules of staffing pattern or recruitment rules would come into effect, the G.R. dtd. 21.11.1995 (Annex. A. 1 of O.A.) would automatically come to an end.

4. At the request of learned Advocate for the applicant to satisfy all the queries mentioned above S.O. to 27.2.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 31-01-2018

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

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

2. The present matter be placed before the same court i.e. before Shri B.P. Patil, Hon'ble Member (J), who has raised the issue of maintainability, on 21.2.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 31-01-2018

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

**ORIGINAL APPLICATION NO. 58 OF 2018
(Dhananjay N. Mahajan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the present O.A., returnable on 1.3.2018.

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 question 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 1.3.2018.

8. Steno copy / hamdast allowed to the both the sides.

VICE CHAIRMAN

ARJ ORAL ORDERS 31-01-2018

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

**ORIGINAL APPLICATION NO. 59 OF 2018
(Umesh C. Parate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

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

2. Issue notices to the respondents in the present O.A., returnable on 6.3.2018.

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 question 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. **Considering the issue involved in the present O.A., presently without making any comment on the merit of the O.A. interim relief in terms of prayer clause 9 (a) is hereby granted till filing of affidavit in reply by the respondents, which runs as under :-**

"9 (a) Pending the hearing and final disposal of this Original Application, the respondents No. 1 to 3 may kindly be restrained from effecting the recovery from the monthly salary of the applicant w.e.f. January, 2018 onwards as a consequence of the order of withdrawal of benefit in respect of first time bound promotion under order dated 15.3.2017."

8. S.O. to 6.3.2018.

9. Steno copy / hamdast allowed to the both the sides.

VICE CHAIRMAN

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

**M.A. 20/2018 IN O.A. ST. 1938/2017
(Madhukar K. Brahmane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

Heard Shri A.M. Nagarkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the present M.A., returnable on 6.3.2018.

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 M.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 question 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 6.3.2018.

8. Steno copy / hamdast allowed to the both the sides.

VICE CHAIRMAN

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

**M.A. 24/2018 WITH O.A. ST. 73/2018
(Vishwajeet V. Jondhale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

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

2. Issue notices to the respondents in the present M.A. & O.A., returnable on 12.3.2018.

3. Tribunal may take the cases 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 M.A. & 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 question 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 12.3.2018.

8. Steno copy / hamdast allowed to the both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION ST. NO. 103 OF 2018
(Khanderao D. Musande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.

DATE : 31.01.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant submits that misc. application for condonation of delay caused in filing the present O.A. would be filed. It be filed within 2 weeks. Upon filing the M.A. for condonation of delay in O.A., it be accepted by the Office.

VICE CHAIRMAN

ARJ ORAL ORDERS 31-01-2018