

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

**ORIGINAL APPLICATION NO.560/2017
(Dr. Prafull Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. M.S.Patni learned Presenting Officer for respondents. Smt. Vaishali Shinde learned Advocate for respondent no.4 is **absent**.

2. Today learned P.O. files affidavit in reply on behalf of the respondent nos.1 to 3 and also deposited costs of Rs.10,000/-. She undertakes to serve copy of the reply on the other side.

3. S.O. to 01-11-2018.

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.746/2018
(Kavita Dhotre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri Prashant M. Nagargoje learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. The applicant has challenged the suspension order by filing the present O.A. Suspension order is an appealable order in view of Rule 17 of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.

3. The order can be challenged by way of representation or appeal before the competent authority as provided under Rule 4(5) of the M.C.S. (D & A) Rules, 1979. Since the alternate and efficacious remedy is available to the applicant to challenge the impugned order, the present O.A. is not maintainable as the applicant has not exhausted the alternate remedy available to him.

4. The O.A. is also not maintainable in view of the S.20 of the Administrative Tribunals Act, 1985. Hence, as the case is not maintainable, the O.A. stands dismissed in limine without any order as to costs.

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.752/2018
(Sk. Shafeequedin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri P.D.Jarare learned Advocate for the applicant and Shri M.S.Mahajan learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has prayed to direct the respondents to decide the proposal dated 18-02-2017 sent by Deputy Director of Education, Aurangabad Region, Aurangabad to the office of Director of Education Maharashtra State, Pune for granting deemed date of promotion to the applicant w.e.f. 04-02-1993. It is contention of the applicant that respondent no.3 has not taken any decision on the said proposal since long and therefore, he has filed the present O.A.

3. Learned P.O. has submitted that said proposal is under consideration of respondent no.3 and respondents will decide it in due course.

4. Applicant has prayed for simple relief of direction to respondents to decide proposal dated 18-02-2017 sent by Deputy Director of Education to the office of Director of Education Maharashtra State, Pune. Said proposal has not been decided by the respondent no.2 since more than 1 and half years. In these circumstances, it is just to direct the respondents to take appropriate decision on the proposal dated 18-02-2017 within 3 months from today.

5. In view of the above discussion, O.A. stands disposed of with direction to the respondents to take appropriate decision on the proposal dated 18-02-2017 forwarded by respondent no.2 through respondent no.3 to respondent no.1 on merit as per rules within 3 months from the date of this order. There shall be no order as to costs.

MEMBER (J)

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

**O.A.NO.313/2017 with O.A.No.704/2017
(Tulshiram Chavan & Nilesh Wakode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri V.G.Pingle learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicants in both cases, Shri M.S.Mahajan learned Chief Presenting Officer for respondents and Shri Ashish Rajkar learned Advocate holding for Shri S.D.Joshi learned Advocate for respondent no.5 in respective cases.

2. At the request of learned Advocate for the applicants, S.O. to 24-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.721/2017
(Subhash Parlikar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Smt. Suchita Dhongde learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.79/2018
(P.K.Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.497/2018
(D.E.Shete V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri H.S.Bali learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

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

3. S.O. to 02-11-2018.

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.503/2018
(Dr. Omprakash Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

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

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 05-11-2018.

YUK ORAL ORDER 05-10-2018 F

MEMBER (J)

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

**M.A.No.330/2017IN O.A.No.578/2016
(C.H.Dongaonkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Smt. Suchita Dhongde learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for respondents and Shri D.T.Devane learned Advocate for respondent no.2 to 5.

2. Learned P.O. files affidavit in reply on behalf of the respondent no.1. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 29-10-2018.

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.723/2018
(Arjun Kolmare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri D.T.Devane learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 06-11-2018.

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

4. Applicant is authorized and directed to serve on 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 06-11-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.733/2018
(Kishor Koli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 05-11-2018.

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

4. Applicant is authorized and directed to serve on 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 05-11-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.754/2018
(Bharat Wani V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri S.M.Shegaonkar learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 06-11-2018.

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

4. Applicant is authorized and directed to serve on 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 06-11-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.755/2018
(Abhay Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 01-11-2018.

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

4. Applicant is authorized and directed to serve on 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 01-11-2018.

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

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**ORIGINAL APPLICATION NO.757/2018
(Bhujang Shete V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri R.D.Biradar learned Advocate holding for Shri Shakil Shaikh learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. The applicant has challenged the impugned order dated 18-08-2018 by which he has been posted as Sub Divisional Water Conservation Officer, Zilla Parishad Minor Irrigation Sub Division, Hadgaon, Dist. Nanded. It is his contention that he has been promoted by order dated 25-04-2018 as Deputy Engineer Engineer and thereafter he has been posted at Naigaon (Kheirgaon) by the Chief Engineer Pune.

3. On perusal of record, it reveals that the applicant has been posted at Naigaon by order dated 27-04-2018 wherein it has been specifically mentioned that Chief Engineer of the

Revenue Division has to issue posting order to the concerned officer. It has been brought to the notice that Chief Engineer Aurangabad independently functions for Aurangabad region but the order dated 27-04-2018 posting the applicant at Naigaon is passed by Assistant Chief Engineer Pune. Prima facie, it seems that it is not in contravention of the direction given in the promotion order dated 25-04-2018. Thereafter, the Government has issued the impugned order dated 18-08-2018 and given posting to the applicant and posted him at Hadgaon, District Nanded. Prima facie, it seems that the impugned order has been issued on the basis of promotion order dated 25-04-2018 by the Government. Therefore, in my view, it is not a fit case for grant of interim relief as prayed for. Hence, prayer for interim relief is rejected.

4. Issue notice to the respondents, returnable on 05-11-2018.

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

6. 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.

7. 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.

8. 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.

9. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand

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O.A.No.757/2018

dismissed without further reference to the Tribunal.

10. S.O.to 05-11-2018.

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

YUK ORAL ORDER 05-10-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.758/2018
(Dr. Prasad Kharate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Shri B.S.Deokar learned Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 19-10-2018.

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

4. Applicant is authorized and directed to serve on 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. Respondents are directed to file affidavit in reply on the returnable dated positively without fail.

9. S.O.to 19-10-2018.

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

MEMBER (J)

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

**M.A.No.363/2018 IN O.A.St.No.1019/2018
(Bhagwan Sonawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri A.S.Bayas learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant wants to amend the O.A. and to delete prayer clause B and to insert prayer seeking directions against the respondents to decide the proposal sent by respondent no.3 Deputy Director of Technical Education to the Government for extending the benefits to the applicant. Therefore, he prayed for leave of the Tribunal to amend the O.A. accordingly.

3. Leave as prayed for is granted. Applicant shall amend the O.A. suitably within one week.

4. Case be removed from the board. Applicant is at liberty to circulate the case after carrying out necessary amendment and after removal of office objections, if any.

MEMBER (J)

YUK ORAL ORDER 05-10-2018 F

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

**M.A.No.364/2018 IN O.A.St.No.1616/2018
(Pankaj Sawant & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Shri C.V.Bhadane learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.

2. None is present for the applicant.
3. S.O. to 19-10-2018.

YUK ORAL ORDER 05-10-2018 F

MEMBER (J)

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

**M.A. No. 384/2018 in O.A. St. No. 1619/2018
(Smt. Shridevi M. Mahanwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Issue notice to the respondents in M.A., returnable on 06-11-2018.

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

4. Applicant is authorized and directed to serve on 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.

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M.A. 384/2018 in
O.A. St. 1619/2018

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

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

8. S.O.to 06-11-2018.

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

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 61/2018
(Shri Bepin A. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

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

2. Learned Chief Presenting Officer has submitted that he will file affidavit in reply during the course of the day and will deposit the amount of costs as per the order passed by this Tribunal on 11.09.2018.

3. S.O. to 12.10.2018.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 426/2018
(Shri Bharat D. Gadhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on learned Presenting Officer.

3. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 05.11.2018.

4. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 437/2018
(Shri Vijay M. Suralkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

Shri Ram Shinde, learned Advocate for the applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents, present.

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 05.11.2018.

3. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 639/2018
(Shri Maroti J. Sonkamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

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

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

3. S.O. to 19.10.2018.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 395/2018
(Shri Manohar K. Bade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file original record. Time granted.

3. S.O. to 12.10.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 396/2018
(Shri Shamsundar R. Matre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file original record. Time granted.

3. S.O. to 12.10.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**M.A. No. 274/2018 in O.A. No. 347/2015
(Shri Deepak D. Edke & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for A.S. Shelke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 15.10.2018 for filing affidavit in reply in M.A.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**M.A. No. 275/2018 in O.A. No. 802/2015
(Shri Raosaheb J. Maske V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for A.S. Shelke, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 15.10.2018 for filing affidavit in reply in M.A.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

ORIGINAL APPLICATION NO. 774/2017

(Shri Faroqui Sahed Latif Mohd Mumtajudding Faroqui V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

Heard Shri Shaikh Md. Taqui, learned Advocate holding for Shri Mohsin Khan, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24.10.2018.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 555/2018
(Smt. Nirmala S. Bhandari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that he will file service affidavit of respondent No. 3 during the course of the day.

3. S.O. to 30.10.2018.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 909/2016
(Shri Laxman A. Lomte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. The applicant has prayed to direct the respondent Nos. 1 to 3 to release his pay in respect of Earned Leave for the period of 294 days and half pay leave for 455 days by filing the present Original Application.

3. The respondent Nos. 1 to 3 in their affidavit in reply have submitted that the pay for Earned Leave of 294 days has been paid to the applicant and also pay regarding half pay leave for 455 days has also been paid to the applicant. They have produced the letter dated 27.07.2016 along with pay difference statement of the applicant showing that the amount as claimed by the applicant has already been paid to the applicant in the year 2016.

4. In view of this, the amount as claimed by the applicant has been paid to the applicant prior to filing of the present O.A.

5. At this stage, learned Advocate for the applicant seeks time to take instruction from the applicant as to when the amount has been disbursed to the applicant.

6. In view of the submissions made by learned Advocate for the applicant, short time is granted.

7. S.O. to 19.10.2018.

MEMBER (J)

KPB ORAL ORDER 05-10-2018

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

**ORIGINAL APPLICATION NO. 127/2018
(Dr. Rajendra D. Pendharkar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.10.2018.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent Nos. 1 to 3 and Ms. Sonali P. Shahagadkar, learned Advocate holding for Shri P.V. Tapse Patil, learned Advocate for respondent No. 4.

2. Learned Advocate Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. It is to be noted that on the last dated i.e. on 24.08.2018 time was granted to the respondents for filing affidavit in reply subject to payment of costs of Rs. 5000/-. However, till today no affidavit in reply is filed by the respondent Nos. 1 to 3 and seeks time for filing affidavit in reply .

3. In the circumstances, time is hereby granted for filing affidavit in reply subject to payment of additional costs of Rs. 5000/-. The respondents shall file affidavit in reply on the next date and also deposit total costs of Rs. 10,000/- in the Registry of this Tribunal.

4. S.O. to 19.10.2018.

MEMBER (J)

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

**M.A. 383/2018 IN O.A. 119/2015
(Mohanchandra J. Panjal & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 5.10.2018

ORAL ORDER :

Heard Shri S.P. Salgar, learned Advocate holding for Shri S.S. Gangakhedkar, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. By filing the present M.A. the applicants are seeking restoration of O.A. no. 119/2015 which has been dismissed in default by the Tribunal vide order dtd. 24.9.2018.

3. For the reasons stated in the present M.A. it is allowed and disposed of without any order as to costs and O.A. no. 119/2015 is restored to its original file.

4. Office to place the O.A. no. 119/2015 for final hearing on 4.12.2018.

MEMBER (A)

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

**ORIGINAL APPLICATION NO. 312/2015
(Dr. Shivani V. Sachdeva V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 5.10.2018

ORAL ORDER :

Heard Shri Anand Deshpande, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 to 3 & 7, Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for respondent no. 4 and Shri V.B. Wagh, learned Advocate for respondent no. 5. None appears for respondent no. 6.

2. Shri Wagh, learned Advocate has filed affidavit in reply of res. no. 5. It is taken on record with copy thereof to other side.

3. In view of non availability of Division Bench, S.O. to 12.10.2018 for final hearing.

MEMBER (A)

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

**C.P. 69/2018 IN C.P. ST. 1812/2018 IN O.A. 142/2013
(Dr. Jeevansingh D. Taji V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 5.10.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant drawn attention to the affidavit in reply filed by Dr. Pradeep Vyas, Principal Secretary, Public Health Department, Mantralaya, Mumbai filed in the present C.P. and more particularly to the chart mentioned in para nos. 4 & the contents of para 5 thereof (page 62 & 63). He submits that, in view of the same the order of the Tribunal dtd. 7.6.2017 passed in M.A. no. 503/2015 in C.P. st. 1812/2015 in O.A. no. 142/2013 had been complied with.

3. In view of above, the present C.P. is disposed of without any order as to costs, with liberty to the applicant to file fresh O.A. if any grievance is left out.

MEMBER (A)

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

**M.A. 287/2015 IN M.A. ST. 823/2018 IN O.A. 444/2014
(Shaikh Tajoddin Shaikh Manikji Kasar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 5.10.2018

ORAL ORDER :

Heard Shri S.P. Salgar, learned Advocate holding
for Shri S.S. Gangakhedkar, learned Advocate for the
applicants and Shri B.S. Deokar, learned Presenting
Officer for respondents.

2. The present M.A. has been filed by the applicant
for condonation of 77 days delay in filing M.A. st. no.
823/2015 for restoration of O.A. no. 444/2014, which
has been dismissed in default by the Tribunal vide
order dtd. 27.3.2015.

3. For the reasons stated in the present M.A. it is
allowed and disposed of without any order as to costs
and delay of 77 days caused in filing M.A. st. no.
823/2015 is condoned.

4. Office to register M.A. st. 823/2015 on due
scrutiny.

MEMBER (A)

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

**M.A. ST. 823/2018 IN O.A. 444/2014
(Shaikh Tajoddin Shaikh Manikji Kasar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 5.10.2018

ORAL ORDER :

Heard Shri S.P. Salgar, learned Advocate holding for Shri S.S. Gangakhedkar, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. Today by passing separate order in M.A. no. 287/2015, the delay of 77 days caused in filing M.A. st. no. 823/2015 has been condoned.

3. The present M.A. st. no. 823/2015 has been filed by the applicants for restoration of O.A. no. 444/2014, which has been dismissed in default by the Tribunal vide order dtd. 27.3.2015.

3. For the reasons stated in the present M.A. it is allowed and disposed of without any order as to costs and O.A. no. 444/2014 is restored to its original file.

4. Office to place on board O.A. no. 444/2014 along with O.A. no. 119/2015 for final hearing on 4.12.2018.

MEMBER (A)

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

M.A.NO. 297/2018 IN O.A.ST.NO. 1379/2018

[Shri Vijaykumar V. Giri & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 05.10.2018.

ORAL ORDER :

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

2. On the request of learned Advocate for the applicants, S.O. to 8th October, 2018.

MEMBER (A)

ORAL ORDERS 05.10.2018-HDD

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

M.A. 382/18 WITH M.A.ST. 1491/18 IN O.A.ST. 1384/18

[Shri Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 05.10.2018.

ORAL ORDER :

1. Heard Shri Mahesh C. Swami, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. This is an application filed by the applicants for condonation of delay of about 7 months and 19 days caused in filing accompanying Original Application.

3. For the reasons stated in the present Misc. Application, the same is allowed and the delay of about 7 months and 19 days caused in filing accompanying Original Application is hereby condoned.

4. Accordingly, the present M.A. No. 382/2018 is disposed of without any order as to costs.

MEMBER (A)

ORAL ORDERS 05.10.2018-HDD

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

M.A.ST. 1491/18 IN O.A.ST. 1384/18

[Shri Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 05.10.2018.

ORAL ORDER :

1. Heard Shri Mahesh C. Swami, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. This is an application preferred by the applicants seeking leave to sue jointly.
3. For the reasons stated in the present application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.
4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. is disposed of accordingly without any order as to costs.

MEMBER (A)

ORAL ORDERS 05.10.2018-HDD

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

ORIGINAL APPLICATION ST. NO. 1384 OF 2018

[Shri Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 05.10.2018.

ORAL ORDER :

1. Heard Shri Mahesh C. Swami, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned Chief Presenting Officer submits that he will seek further instructions in the matter from the respondents and seeks one week's time. Time granted as prayed for.
3. S.O. to 23rd October, 2018 for taking instructions by the learned C.P.O. from the respondents.

MEMBER (A)

ORAL ORDERS 05.10.2018-HDD

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

REV. 01/2018 IN O.A.ST.NO. 873/2018

[Shri Santosh R. Jagdale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 05.10.2018.

ORAL ORDER :

1. Heard Shri S.G. Kulkarni, learned Advocate holding for Shri S.S. Choudhari, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. On the request of learned Chief Presenting Officer for the respondents, S.O. to 26th October, 2018 for filing affidavit in reply in O.A., as well as, in Rev. Application.

MEMBER (A)

ORAL ORDERS 05.10.2018-HDD

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

ORIGINAL APPLICATION NO. 500 OF 2018

[Shri Gokul S. Ingle & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 05.10.2018.

ORAL ORDER :

1. Heard Shri H.A. Bali, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. On the request of learned Presenting Officer for the respondents, S.O. to 2nd November, 2018 for filing affidavit in reply.

MEMBER (A)

ORAL ORDERS 05.10.2018-HDD