

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

**ORIGINAL APPLICATION NO.898/2018
(Kishor Kokani V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant is challenging the suspension order dated 04-09-2018 by filing the O.A. He has submitted that the applicant has preferred the appeal challenging the said order before the Collector, Nandurbar on 28-09-2018 but the Collector forwarded the said appeal/application to the disciplinary authority for review/modification of the impugned order by the letter dated 06/09-10-2018.

3. He has further submitted that the disciplinary authority has not decided the representation, therefore, he has approached this Tribunal. He has submitted that since the representation / appeal

preferred by the applicant has not been decided in stipulated time, the applicant has right to approach this Tribunal.

4. In support of his submission, he has placed reliance on the judgment in the case of **State of Maharashtra & Ors. V/s. Shivram Sambhajirao Sadawarte** reported in **(2001) ILLJ 1198 Bom.**

5. Learned P.O. has submitted that the applicant has exhausted the remedy as provided under Rule 4(5) of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 [“MCS (D & A) Rules” for short] by filing the representation and the said appeal/representation has not been yet decided by the competent authority. Therefore, the O.A. is not maintainable in view of the provisions of S.20 of the Administrative Tribunals Act, 1985. Therefore, she has prayed to dismiss the O.A.

6. On perusal of the record, it reveals that the applicant was suspended by order dated 04-09-2018 and thereafter the applicant has filed the

application/representation dated 28-09-2018 for revocation of the impugned order of suspension. The Resident Collector has forwarded the matter to the Assistant Collector, Nandurbar for review of the order by letter dated 06/09-10-2018.

7. It seems that the applicant has filed the application for revocation/ review of the impugned order before the competent authority . Said matter is still pending before the authority. Therefore, in my view, as per the S.20 of the MCS (D & A) Rules, 1985, the O.A. cannot be admitted as it is not maintainable. Hence, the O.A. stands dismissed in as it is not maintainable. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.34/2019
(Urmila Marotrao Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

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

2. By filing the present O.A., the applicant is challenging the transfer order dated 31-05-2018 issued by the respondent no.2 regarding transfers of respondent nos.4 and 5 by which they have been transferred to Parbhani Sub Division on their request.

3. Learned Advocate for the applicant has submitted that the respondent no.2 has passed the orders without considering the request of the applicant, and therefore, the applicant is aggrieved by the said order. Hence, she has filed the present O.A.

4. Learned P.O. has submitted that the applicant is not aggrieved by the impugned order dated 31-05-2018. Hence, the O.A. is not maintainable in view of provision of S.19 of the Administrative

Tribunals Act, 1985. Therefore, she has prayed to dismiss the O.A.

5. On perusal of the record, it reveals that the respondent nos.4 and 5 have been transferred by the impugned order dated 31-05-2018 to Sub Division, Parbhani. The applicant is not aggrieved by the said order. Her grievance is that her case has not been considered by the Civil Services Board and the respondent no.2. They have not considered her request for transfer. Since the respondent nos.4 and 5 have been transferred by the impugned order by the respondent no.2 to Sub Division, Parbhani, the applicant cannot be said to be a person aggrieved by the said order.

6. In view above, as the applicant is not aggrieved by the impugned order, the O.A. is not maintainable as per the provisions of S.19 of the Administrative Tribunals Act, 1985. Consequently, O.A. stands dismissed in limine without any order as to costs.

MEMBER (J)

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

**M.A.NO.10/2019 IN O.A.NO.761/2018
(Shivaji Dandge & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri S.P.Dhoble learned Advocate holding for Shri A.V.Patil (Indrale) learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Issue notice to the respondents in the M.A, returnable on 27-02-2019.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

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

8. S.O. to 27-02-2019.

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

MEMBER (J)

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

**M.A.NO.1943/2018 IN O.A.St.No.1944/2018
(Sham Thorat & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri I.D.Maniyar learned Advocate holding for Shri Vilas Panpatte learned Advocate for the applicants and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned Advocate for the applicants has submitted that the applicants do not want to proceed with the M.A. and O.A. and want to withdraw the same as they want to file separate O.A. Therefore, the learned Advocate for the applicants sought liberty to withdraw the M.A. and O.A. with liberty to file separate applications.

3. In view of the submission of the learned Advocate for the applicants leave as prayed for withdrawal of M.A. as well as O.A. is granted. Accordingly, M.A. as well as O.A. both are disposed of as withdrawn without any order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.482/2017
(Mohan Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for respondents and Shri S.G.Kulkarni learned Advocate holding for Shri S.D.Dhongde learned Advocate for respondent nos.2 and 3.

2. At the request of learned Advocate for the applicant, S.O. to 25-02-2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.758/2017
(Dadarao Borade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 26-02-2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.303/2018
(Sitaram Bhokare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri S.G.Kulkarni learned Advocate for the applicant and Smt. M.S.Patni 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 26-02-2019.

MEMBER (J)

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

ORIGINAL APPLICATION NO.305/2018
(Aruna Bhingardive & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri P.G.Tambde learned Advocate holding for Shri S.S.Jadhavar learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Shri V.G.Pingle learned Advocate has filed Vakalatnama on behalf of respondent nos.4 to 9 and 12 to 17. It is taken on record. Learned Advocate also files affidavit in reply on behalf of respondent nos.4 to 9 and 12 to 17. It is taken on record. Copy thereof has been served on the other side.

3. Issue notice to the respondent no.11, returnable on 20-02-2019.

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

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

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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

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

9. S.O. to 20-02-2019.

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

MEMBER (J)

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

**ORIGINAL APPLICATION NO.306/2018
(Maruti Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri P.G.Gunale learned Advocate for the applicant, Smt. Sanjivani Ghate learned Presenting Officer for respondents and Shri S.A.Wakure learned Advocate for respondent no.3.

2. Learned P.O. as well as learned Advocate for respondent no.3 sought time to file affidavit in reply. Time is granted.

3. S.O. to 26-02-2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.438/2018
(Kavita Gitte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Shri S.G.Jadhavar learned Advocate for the applicant is **absent**. Shri R.J.Nirmal learned Advocate for respondent no.5 is **absent**.

Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondent nos.1 and 2. Time is granted.

3. S.O. to 27-02-2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.523/2018
(Ravindra Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

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

2. Learned P.O. states that he will file copy of State Litigation Policy on record during the course of the day.

3. At the request of learned Presenting Officer for respondents, S.O. to 23-01-2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.573/2018
(Bhagwan Mokale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Shri V.G.Salgare learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. Since pleadings are complete, case is admitted.

It may be placed for final hearing on 28-02-2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.623/2018
(Baban Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 23-01-2019.

3. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**ORIGINAL APPLICATION NO.830/2018
(Shailendra Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal learned Advocate holding for Shri Shamsundar B. Patil learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Shri M.V.Bhamre learned Advocate files Vakalatnama on behalf of respondent no.5. It is taken on record.

3. Learned P.O. as well as the learned Advocate for respondent no.5 sought time to file affidavit in reply. Time is granted.

4. S.O. to 20-02-2019.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.858/2018
(Sudhakar Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri Ashish Rajkar learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 26-02-2019.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**M.A.No.191/2017 IN O.A.St.No.519/2017
(Shaikh Mohammad Aminuddin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 27-02-2019.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**M.A.NO.519/2018 IN O.A.NO.279/2017
(Smt. Rekha Bonilwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri V.G.Pingle learned Advocate holding for Shri V.D.Patnoorkar 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. At the request of learned Advocate for the applicant S.O. to 27-02-2019.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**M.A.NO.09/2019 IN O.A.NO.979/2018
(Baburao Mahire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri Y.H.Jadhav learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. For the reasons mentioned in paragraph 3 of the M.A., it is allowed subject to payment of costs of Rs.500/-. On depositing the amount of costs, the order of dismissal passed in O.A. would stand recalled and O.A. be restored to its original number as per procedure after removal of office objections, if any.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**ORIGINAL APPLICATION NO.979/2018
(Baburao Mahire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri Y.H.Jadhav learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. After the O.A. is restored to its original position, issue notice to the respondents, returnable on 27-02-2019.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

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

8. S.O. to 27-02-2019.

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

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

**ORIGINAL APPLICATION NO.133/2017
(Radhakrushna Bodkhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri A.D.Gadekar learned Advocate for the applicant and Smt. M.S.Patni learned Presenting Officer for respondents.

2. The applicant has filed the O.A. claiming the following reliefs:

“(B) By issue of an appropriate order or direction, the respondent nos.2 to 5 may kindly be directed to take necessary steps for sanctioning pension and other retirel monetary benefits to the applicant within stipulated period.

(C) By issue of an appropriate order or direction, the respondents may kindly be directed to pay all the retirel benefits i.e. monthly pension, gratuity and other economical retirement benefits to the applicant from the date of retirement.

(D) By issue of an appropriate order or direction, it be declared that, the applicant is

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O.A.No.133/17

eligible and entitled to get all the retirel benefits from the date of retirel.”

3. During the pendency of the O.A., in view of the direction given by the Tribunal, respondent no.3 Collector, Aurangabad sent proposal to the Government for granting pension to the applicant as a special case on 04-09-2018. Said proposal is still pending with the Government.

4. Since the respondent no.3 had taken steps for grant of pension to the applicant, purpose of filing the O.A. is served. Hence, it is just to dispose of the O.A. with direction to the respondent no.1 to take appropriate decision on the proposal dated 04-09-2018 sent by the respondent no.3 within 4 months from the date of this order and the decision shall be communicated to the applicant in writing. O.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.203/2017
(Shamrao Wagatkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri S.G.Kulkarni learned Advocate holding for Shri S.D.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 25-02-2019.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**ORIGINAL APPLICATION NO.237/2017
(Mukund Kachare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri Ashish Rajkar learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27-02-2019.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**ORIGINAL APPLICATION NO.734/2017
(Dr. Atul Ladvanjari & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Shri J.S.Deshmukh learned Advocate for the applicants is **absent**. Shri M.S.Sonawane learned Advocate for respondent nos.3 and 4 is **absent**.

Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. None appears for the applicant. The case is fixed for final hearing. Applicants as well as their Advocate remained absent on previous dates also. It seems that the applicants are not interested in conducting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**ORIGINAL APPLICATION NO.347/2018
(Anil Thombre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant as well as the learned Presenting Officer, S.O. to 04-02-2019.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**ORIGINAL APPLICATION NO.442/2018
(Mohd. Samiyoddin Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri U.P.Giri learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for respondents and Shri S.T.Kumbhar Raje respondent no.5 present in person.

2. At the request of learned Chief Presenting Officer, S.O. to 06-02-2019.

MEMBER (J)

YUK ORAL ORDER 16-01-2019 bpp

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

**ORIGINAL APPLICATION NO. 49 OF 2015
(Shri Dattatray G. Zade Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

Heard Shri Anant D. Gadekar, learned Advocate
for the applicant and Shri N.U. Yadav, learned
Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed
seniority list and the same is taken on record and
marked as document 'X' for the purposes of
identification.

3. Learned Presenting Officer submits that he will
file written notes of arguments on the next date of
hearing and seeks time. Time granted.

4. S.O. to 25.01.2019 for filing written notes of
arguments by the learned Presenting Officer.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 374 OF 2018
(Shri Girish B. Deshmukh Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

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

2. Since Division Bench is not available, S.O. to
13.02.2019 for hearing.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 285 OF 2018
(Meera J. Dolas Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding Shri A.S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks four weeks' time to file sur-rejoinder. Time granted.

3. S.O. to 14.02.2019 for filing sur-rejoinder. Interim relief to continue till then.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 2 OF 2018
(Shri Anil H. Sarode Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

Heard Shri Avinash Khedkar, learned Advocate for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 6 and Smt. Juee Parlikar-Palekar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for respondent No. 7.

2. At the request of learned Advocate for the applicant, S.O. to 07.02.2019 for hearing.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 443 OF 2018
(Shri Jagannath W. Vispute Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

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

2. Since Division Bench is not available and since
nobody appears for the applicant, S.O. to 15.02.2019
for hearing.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**REV. 1/2018 IN O.A.ST.NO. 873/2018
(Shri Santosh R. Jagdale Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

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

2. Learned Advocate has filed affidavit in rejoinder in Review Application, as well as, in O.A. and the same are taken on record and copies thereof have been served on the learned Chief Presenting Officer.

3. S.O. to 28.01.2019 for hearing.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**O.A.NO. 799/2017 WITH O.A.NO. 471/2018
(Shri Mangesh S. Vishwasu & Anr. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

Heard Smt. Juee Parlikar-Palekar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant in O.A. No. 799/2017 and Shri M.P. Gude, learned Presenting Officer for the respondents in both these cases. Shri D.B. Gaikwad, learned Advocate for the applicant in O.A. No. 471/2018 (**absent**).

2. S.O. to 11.02.2019.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**C.P.NO. 76/2018 IN O.A.NO. 655/2017
(Sujata D. Hingole Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 16.01.2019

ORAL ORDER :

Heard Shri M.R. Mundhe, learned Advocate holding for Shri G.K. Kshirsagar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks permission of this Tribunal to withdraw the present contempt petition.

3. Permission granted. Withdrawal is allowed. Accordingly, the present contempt petition is disposed of as withdrawn without any order as to costs.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 609 OF 2018
(Smt. Varsha J. Sabale Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 21.01.2019 for filing affidavit in reply. The present matter be placed along with similar matters regarding horizontal reservation.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 330 OF 2017
(Dinesh S. Thakur Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 16.01.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 07.02.2019 for filing affidavit in reply.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**O.A.NO. 453/2018 WITH O.A.NO. 454/2018
(Shri Balasaheb R. Mendhekar & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicants in both these cases, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 4 in both these cases and Shri N.T. Tribhuvan, learned Advocate, holding for Shri S.S. Dambe, learned Advocate for respondent Nos. 5 to 9, 11 & 12 in O.A. No. 453/2018

2. In O.A. No. 453/2018, learned Advocate for the respondent Nos. 5 to 9, 11 and 12 has filed affidavit in reply on their behalf and the same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 13.02.2019.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 421 OF 2018
(Shri Manoj S. Thakur Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 07.02.2019 for filing affidavit in reply of the respondents.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 541 OF 2018
(Shri Sandip C. Vighne Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

Heard Shri S.R. Shirsat, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Aakash Gade, learned Advocate holding for Shri S.J. Salunke, learned Advocate for respondent No. 3.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and the copy thereof has been served on the other side. Learned Advocate for respondent No. 3 has also filed affidavit in reply and the same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 14.02.2019.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION ST. NO. 2049 OF 2018
(Shri Gautam P. Madane Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

Heard Shri G.R. Syed, learned Advocate for the
applicant and Mrs. Priya R. Bharaswadkar, learned
Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that
he has filed M.A. for condonation of delay in the
present O.A.

3. S.O. to 01.02.2019.

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**C.P.NO. 2/2019 IN O.A.NO. 419/2018
(Shri Rajendra P. Bagade Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

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

2. Issue notices to the respondent No. 2 in C.P. No. 2/2019, returnable on 30.01.2019.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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

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

8. S.O. to 30.01.2019.

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

MEMBER (A)

ORAL ORDERS 16.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 12 OF 2019
(Dr. Deepak K. Shejwal Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : SHRI ATUL RAJ CHADHA, MEMBER (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 16.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that selection list is not prepared. He has filed the copy of appointment order issued by the Director, Medical Education & Research, Mumbai, as per walk in interview and not as per the seniority. The copy of the said appointment order is taken on record and marked as document 'X' for the purposes of identification.

3. Issue notices to the respondents, returnable on 18.02.2019.

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing

duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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

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

9. S.O. to 18.02.2019.

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

MEMBER (A)

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

**REV. 8/2017 IN O.A.NO. 498/2013
(Shri Shivraj D. Hawanna Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : SHRI B.P. PATIL, MEMBER (J)
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 16.01.2019

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, returnable on 22.02.2019.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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

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

8. S.O. to 22.02.2019.

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

MEMBER (A)

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 610/2018
(Shri Ashok E. Dahiphale 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 : 16.01.2019

ORAL ORDER :

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

2. With the consent of learned Advocate for the applicant and learned Presenting Officer for the respondents the present Original Application is disposed of.

3. Learned Advocate for the applicant submits that in view of contents in para 3 of the affidavit in reply of the res. nos. 1 & 2 (page 182), the applicant will prefer an appeal against the impugned order as per rule 17 & 18 of M.C.S. (Discipline & Appeal) Rules, 1979.

4. In view of above statement of learned Advocate for the applicant, the present O.A. is disposed of with consent of both the sides. The applicant is at liberty to file departmental appeal as per rule 17 & 18 of M.C.S. (Discipline & Appeal) Rules, 1979 against the impugned order. The stay regarding recovery be continued till disposal of departmental appeal of the

applicant by the appellate authority. There shall be no order as to costs.

MEMBER (A)

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

**ORIGINAL APPLICATION NO. 272/2017
(Smt. (Dr.) Vaishali P. Deshpande 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 : 16.01.2019

ORAL ORDER :

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

2. The Division Bench is not available. With the
consent of both the sides, S.O. to 8.2.2019 for
hearing.

MEMBER (A)

ARJ ORAL ORDERS 16-01-2019

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

**ORIGINAL APPLICATION NO. 183/2018
(Smt. Karuna N. Bhujang & Another 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 : 16.01.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The Division Bench is not available. Though the present case pertains to Division Bench, with the consent of learned Advocate for the applicants and learned Presenting Officer for the respondents, it is taken up for hearing and final disposal.

3. Learned Advocate for the applicants submits that in view of prayer clause (C) the present O.A. may be disposed of. Learned P.O. has no objection to dispose of the present O.A. in view of prayer clause (C) of the present O.A.

4. Prayer clause (C) reads as under :-

“(C) The respondent no. 1 may kindly be directed to take the decision in respect of relaxation of standard of Scheduled Caste Category in view of the office memorandum dated 25th July, 1970, 19th October, 1971 and 21st September, 1971, 17th October, 1986 as and to give the appointment

orders after granting the relaxation of standard to the applicants on the post of Lab Technicians as per the advertisement dated 7.10.2010.”

5. Upon hearing both the sides, the Tribunal intends to grant only following part of the prayer clause (C), which reads as under :-

“(C) The respondent no. 1 may kindly be directed to take the decision in respect of relaxation of standard of Scheduled Caste Category in view of the office memorandum dated 25th July, 1970, 19th October, 1971 and 21st September, 1971, 17th October, 1986.”

6. In the circumstances, with the consent of both the sides, the present O.A. is disposed of in view of above part of prayer clause (C). The respondent no. 1 is directed to consider the above part of the prayer clause (C) as mentioned in para 5 of this order within a period of three months and decision taken thereon shall be communicated to the applicant in writing. There shall be no order as to costs.

MEMBER (A)

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

**ORIGINAL APPLICATION NO. 250/2014
(The Karyakari Adhikari Sanghatana, RTO, through its Joint
Secretary 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 : 16.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. The Division Bench is not available. Learned P.O. submits that writ petition reference of which is made in the order dtd. 11.12.2018 is still pending before the Hon'ble High Court. In the circumstances, S.O. to 18.3.2019 for reporting further progress in the writ petition by the learned P.O.

MEMBER (A)

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 572/2013
(Smt. Vijaya B. Malave 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 : 16.01.2019

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The Division Bench is not available. With the consent of both the sides, S.O. to 20.2.2019 for final hearing.

MEMBER (A)

ARJ ORAL ORDERS 16-01-2019

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

**ORIGINAL APPLICATION NO. 694/2013
(Shai Bashir Khan Daulat Khan Patel 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 : 16.01.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. The Division Bench is not available. Learned P.O. seeks time to file affidavit in reply to the amended O.A. At his request, S.O. to 20.2.2019 for filing affidavit in reply of the respondents to the amended O.A. and also for hearing.

MEMBER (A)