

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

**ORIGINAL APPLICATION NO.407/2017
(Nilesh Wakode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Shri J.B.Choudhary 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. 04-05-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.234/2018
(Dr. Charulata Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

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 states that the applicant wants to amend the O.A. to challenge the G.R. dated 30-11-2016. He, therefore, seeks leave to amend the O.A.

3. Leave as prayed for is granted. Applicant undertakes to amend the O.A. on or before due date.

4. S.O. to 19-04-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.666/2015, 667/2015 & 668/2015
(Madhukar Salunke & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Shri V.G.Pingle learned Advocate for the applicants and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file additional affidavit in reply in view of the directions given by the Tribunal on 10-01-2018. Time is granted as a last chance.

3. S.O. 19-06-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

**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 : 17.04.2018

ORAL ORDER :

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

2. Since the pleadings are complete, matter is admitted. It may be kept for final hearing on 20-06-2018.

3. S.O. 20-06-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.238/2017
(P.D.Sangave V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

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

2. Since the pleadings are complete, matter is admitted. It may be kept for final hearing on 20-06-2018.

3. S.O. 20-06-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.425/2017
(Prasad Pawar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Dr. Swapnil Tawshikar learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file sur-rejoinder on behalf of the respondents. Time is granted.

3. S.O. 11-06-2018.

4. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.474/2017
(Chandrakant Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Shri P.D.Suryavanshi learned Advocate for the applicant is **absent**. Shri M.P.Gude learned Presenting Officer for respondents is present.

2. None appears for the applicant. Matter be kept for passing necessary order on 12-06-2018.

3. S.O. to 12-06-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.499/2017
(Gokulsing Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

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

2. It seems that no amendment is carried out by the applicant in view of the order passed in the M.A.

3. Applicant is not diligent in conducting the matter. Hence, it may be fixed for passing appropriate order on 15-06-2018.

4. S.O. 15-06-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.750/2017
(Surekha Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Shri A.M.Nagarkar learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Learned P.O. seeks time to make submissions as to whether proposal regarding mid-term transfer of the applicant has been placed before the Civil Services Board and if there is recommendation of the Civil Services Board in that regard. She also prays for time to make submissions as to whether the approval of the next/higher competent transferring authority has been taken for transfer of the applicant.

3. Learned Advocate for the applicant shall file a short affidavit in that regard till next date.

4. S.O. 25-04-2018.

5. Steno copy may be provided to the learned P.O. on her request.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.751/2017
(Deepak Budhwant V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Shri U.B.Shriram learned Advocate holding for Shri D.S.Bagul learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. 05-06-2018.

YUK ORAL ORDER 17-04-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.832/2017
(R.K.Mhaske & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Shri K.C.Sonone learned Advocate holding for Shri R.P.Bhumkar learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

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

3. S.O. 15-06-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.847/2017
(Ashok Bagal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

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

2. At the request of learned Chief Presenting
Officer, S.O. tomorrow i.e. 18-04-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

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

2. Leaned CPO seeks time to file affidavit in reply on behalf of the respondents. Ample opportunities are granted to file reply but reply has not been filed by the respondents. Hence, matter shall proceed without reply of respondent nos.1 to 4.

3. S.O. to 15-06-2018 for hearing.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

**ORIGINAL APPLICATION NO.16/2018
(Sudhakar Dound V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Shri H.P.Jadhav learned Advocate for the applicant and Shri S.K.Shirse 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. By filing this O.A., the applicant is challenging order dated 15-11-2017 by which respondent no.4 rejected to review the order dated 26-07-2013 and his period of suspension has not been treated as duty period.

4. Order dated 26-07-2013 passed by the respondent no.4 determining the period of suspension/ termination is appealable in view of the provisions of Rule 17 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.

The applicant approached this Tribunal without availing the alternate remedy available to him.

5. In view thereof, applicant shall explain about maintainability of the O.A. in view of Section 20(1) of Administrative Tribunals Act, 1985.

6. S.O. 15-06-2018.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.772/2017
(Dr. Ravindra Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Shri T.R.Daware learned Advocate holding for Shri A.G.Talhar learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for respondents and Shri U.B.Shriram learned Advocate holding for Shri M.S.Sonawane learned Advocate for respondent nos.4 and 5.

2. Heard all the parties. Perused the record. Respondents have produced communications dated 15-12-2017 and 15-03-2018 showing that the impugned order has been cancelled by the respondents and the applicant has been reinstated in service. Thereafter, salary/ subsistence allowance has been paid to him up to 10-01-2018.

3. Learned Advocate for the applicant sought time to take instructions from the applicant in

that regard. Earlier on 22-01-2018 learned Advocate for the applicant had prayed for time to take instructions from the applicant and to make submissions. Time was granted but no instructions are taken by the learned Advocate for the applicant so far.

4. Learned Advocate for the applicant is unable to state as to whether relief claimed by the applicant is satisfied or not.

5. On perusal of the prayer clauses and communications dated 15-12-2017 and 15-03-2018 produced by the respondents, it reveals that the order of suspension challenged by the applicant has been cancelled and the applicant has been reinstated in service. Not only this but by communication dated 15-03-2018 District Health Officer, Zilla Parishad, Jalgaon has informed Deputy Director, Public Health, Nashik that salary/subsistence allowance has been paid to the applicant up to 10-01-2018.

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O.A.No.772/17

6. In view of above, nothing survives in the O.A. as the relief claimed by the applicant has been satisfied. Therefore, O.A. stands disposed of accordingly with no order as to costs.

YUK ORAL ORDER 17-04-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.720/2017
(Bhagwat Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant, Shri M.P.Gude learned Presenting Officer for respondents and Shri S.D.Dhongde learned Advocate for respondent nos.2 and 3.

2. Applicant has sought directions to the respondents to declare that he is eligible to deemed date of promotion from 29-12-1990 on the post of Junior Engineer. It is the contention of the applicant that he made representations to the respondents in that regard on 06-08-2007 and again on 20-07-2015 but the respondents had not decided the same.

3. Learned Advocate for the applicant has submitted that necessary directions may be issued to the respondent to decide the representations of the applicant dated

06-08-2007 and 20-07-2015 filed with the respondent no.1 within stipulated time and the O.A. may be disposed of with such directions.

4. Learned P.O. for the respondents prayed to pass necessary order. He has submitted that in case directions are given to the respondents, reasonable time may be given to the respondents to decide the representations of the applicant on merit.

5. On going through the record, it reveals that representations dated 06-08-2007 and 20-07-2015 have been filed by the applicant claiming deemed date of promotion on the post of Junior Engineer w.e.f. 29-12-1990 and same are pending with the respondent no.1. Respondent no.1 has not decided those representations till date.

6. In view thereof, respondent no.1 is directed to take appropriate decision on the representation dated 06-08-2007 and

20-07-2015 filed by the applicant on merit within 3 months from the date of this order and communicate the decision thereon to the applicant in writing.

7. O.A. stands disposed of accordingly with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 17-04-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

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 seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 02.05.2018.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**ORIGINAL APPLICATION NO. 129/2018
(Shri Madhukar K. Shingade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3. None for respondent No. 4, though served.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.

3. S.O. to 02.05.2018.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**O.A.Nos.862/2017, 863/2017, 864/2017, 865/2017, 866/2017,
867/2017, 868/2017, 869/2017, 870/2017, 871/2017, 872/2017,
873/2017, 874/2017, 875/2017, 876/2017, 877/2017, 878/2017,
879/2017, 880/2017, 881/2017 AND 882/2017**

(Shri Tulshidas Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Shri M.K. Deshpande, learned Advocate for the applicants in all the matters (**Absent**). Shri M.S. Mahajan learned Chief Presenting Officer, S/Shri S.K. Shirse, N.U. Yadav, V.R. Bhumkar, M.P. Gude, D.R. Patil, I.S. Thorat S/Smt. Resha S. Deshmukh and Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respondents in respective matters, are present.

2. Learned Presenting Officers seek time to file affidavit in reply on behalf of respondents. Time granted as a most last chance.

3. S.O. to 20.06.2018.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**M.A. No. 86/2018 in O.A. St. No. 204/2018
(Shri Bhagwan L. Sangale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

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

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

3. S.O. to 11.06.2018.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**ORIGINAL APPLICATION NO. 698/2016
(Shri Shriram M. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

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

2. Today, the learned Presenting Officer has placed on record a copy of recovery chart along with certain documents. Same are taken on record and marked as document 'X' collectively for the purposes of identification.

3. After hearing the matter for considerable time, it is closed for orders.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**ORIGINAL APPLICATION NO. 846/2016
(Shri Kishor A. Bagul V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Heard Shri M.K. Bhosle, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Today, the learned Advocate for the applicant has placed on record a copy of G.R. dated 21.09.2017. Same is taken on record and marked as document 'X' for the purposes of identification.

3. After hearing the matter for considerable time, it is closed for orders.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**ORIGINAL APPLICATION NO. 921/2016
(Shri Sanjay T. Mali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Office for the respondents, S.O. to 11.06.2018 for acceptance of the affidavit in reply in view of the order passed by this Tribunal on 16.02.2018 and 13.03.2018.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**M.A. No. 20/2018 in O.A. St. No. 1938/2017
(Shri Madhukar K. Brahmane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Heard Shri A.M. Nagarkar, learned Advocate for the applicant and Shri N.U. Yadav, learned, Presenting Officer for respondents.

2. The applicant has filed service affidavit dated 09.03.2018, which shows that the applicant has personally served notices to the respondent Nos. 3 to 6. The notice of the respondent No. 2 is not yet served till today.

3. Therefore, the learned Advocate for the applicant has prayed to issue fresh notice to the respondent No. 2.

4. Hence, issue fresh notice to the respondent No. 2 in M.A., returnable on 20.06.2018.

5. Tribunal may take the case for final disposal at this stage 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.

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M.A. No. 20/18 in
O.A. St. 1938/17

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. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. Reply be filed on or before 20-06-2018.

11. S.O. 20-06-2018.

12. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**M.A. No. 308/2016 in O.A. St. No. 975/2016
(Shri Waman N. Bondar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Smt. M.A. Kulkarni, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

2. None appeared for the applicant. The applicant and his counsel remained absent on previous date also. It seems that the applicant is not interested in prosecuting the present matter.

3. On perusal of the record, it reveals that the respondents have complied with the order passed in O.A. No. 710/2009 and nothing survives therein. Therefore, the present O.A. filed by the applicant along with M.A. for condonation of delay the relief as claimed by the applicant cannot be granted, since the respondents have complied with the direction given by this Tribunal in O.A. No. 710/2010.

4. In these circumstances, the M.A. stands dismissed. Consequently, the O.A. also stands dismissed with no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 174/2017
(Dr. Madhav F. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

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

2. Today, Dr. S.U. Golhait, Assistant Deputy Director of Health Services, Aurangabad and Shri K.B. Nikam, Assistant Superintendent, Sub District Hospital, Vaijapur, Dist. Aurangabad, are present before the Tribunal.

3. Learned Presenting Officer on instruction from Dr. S.U. Golhait and Shri K.B. Nikam has submitted that the respondents will take necessary steps to release the benefits of 1st and 2nd Assured Career Advancement Scheme, payment of salary to the applicant during his suspension period and fixation of pay of the applicant in view of the recommendation of

the 6th Pay commission on or before 27.04.2018. He has also submitted that the respondents will take care that the necessary orders will be issued in that regard and the arrears of salary etc. will be disbursed to the applicant accordingly by that time.

4. In view of the submissions made by the learned Presenting Officer, the respondents are directed to take necessary steps in that regard, failing which, the respondents will held responsible personally for payment of interest on the delayed payment made to the applicant.

5. The applicant is also directed to co-operate the respondents, if required.

6. S.O. to 27.04.2018.

7. Steno copy allowed to the learned P.O. at his request.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 745 of 2017
(Dr. Anil M. Populwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for respondent Nos. 1 to 4, Shri S.P. Dhoble, learned Advocate holding for Shri Santosh Phulkuntwar, learned Advocate for respondent No. 5 and Shri V.B. Wagh, learned Advocate for respondent No. 6.

2. Learned Advocate for the applicant has submitted that the applicant is due for transfer and he wants to file representation with the respondents seeking his transfer in the general transfer of the year 2018 and claiming posting on the post available to the Group-A Medical Officer. He has submitted that the necessary directions may be issued to the resp. No. 1 to consider the representation of the applicant sympathetically as per the Rules and by issuing such direction the present O.A. may be disposed of.

3. Learned Presenting Officer has submitted that the necessary order may be passed in the matter.

4. Since, the applicant does not want to proceed with the O.A. and intends to file a representation with the respondents to consider his transfer from the present posting and to post him on the post of Group-A Medical Officer in the general transfer of the year 2018. In these circumstances, it is just and proper to direct the respondent No. 1 to accept the representation of the applicant and to decide it as per the rules and to pass appropriate order thereon within a period of four weeks from the date of this order.

5. In view thereof, the O.A. stands disposed of with the above direction with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**ORIGINAL APPLICATION NO. 746 of 2017
(Dr. Suresh R. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 to 4, Shri S.P. Dhoble, learned Advocate holding for Shri Santosh Phulkuntwar, learned Advocate for respondent No. 5 and Shri V.B. Wagh, learned Advocate for respondent No. 6.

2. Learned Advocate for the applicant has submitted that the applicant is due for transfer and he wants to file representation with the respondents seeking his transfer in the general transfer of the year 2018 and claiming posting on the post available to the Group-A Medical Officer. He has submitted that the necessary directions may be issued to the resp. No. 1 to consider the representation of the applicant sympathetically as per the Rules and by issuing such direction the present O.A. may be disposed of.

3. Learned Presenting Officer has submitted that the necessary order may be passed in the matter.

4. Since, the applicant does not want to proceed with the O.A. and intends to file a representation with the respondents to consider his transfer from the present posting and to post him on the post of Group-A Medical Officer in the general transfer of the year 2018. In these circumstances, it is just and proper to direct the respondent No. 1 to accept the representation of the applicant and to decide it as per the rules and to pass appropriate order thereon within a period of four weeks from the date of this order.

5. In view thereof, the O.A. stands disposed of with the above direction with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**M.A. No. 459/2017 with M.A. No. 332/2017 in O.A. No. 340/2014
(Shri Gajanan R. Jawale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Heard Shri M.V. Thorat, learned Advocate holding for Shri Ganesh Gadhe, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. The applicant has filed the Misc. Application No. 459/2017 for condonation of delay caused in filing the application for setting aside the dismissal order passed in O.A. No. 340/2014 on 30.06.2016 and to restore the same to its original position.

3. It is contention of the applicant that the O.A. No. 340/2014 was previously listed before the Division Bench and it came to be transferred to the Single Bench. He could not able to trace out the matter and therefore, he had not appeared before this Tribunal and consequently, O.A. No. 340/2017 came to be dismissed in

default on 30.06.2016. He has contended that he could not able to collect the information regarding the said decision and therefore, he could not able to file application for restoration of the O.A. No. 340/2014 in time. Because of these facts, the delay is of 13 months has been caused in filing the restoration application and therefore, he prayed to condone the delay for the above said reasons.

4. The respondents have resisted the contention of the applicant by filing affidavit in reply and contended that no just and reasonable cause has been shown by the applicant for condonation of delay. It is their contention that the applicant remained absent on various dates in the O.A. No. 340/2014 and therefore, this Tribunal dismissed the said O.A. It is their contention that there is no just ground to condone the delay and therefore, he prayed to reject the M.A.

5. Learned Advocate for the applicant has submitted that the applicant was not aware about the transfer of the O.A. No. 340/2014 from

//3// M.A. 459/17 with M.A.
332/17 in O.A. 340/14

Division Bench to Single Bench and therefore, he could not able to collect the date of hearing in the matter. Consequently, the O.A. No. 340/2014 came to be dismissed on 30.06.2016. He has submitted that thereafter he has filed the M.A. for restoration of O.A. along with application for condonation of delay caused for filing the application for restoration of O.A. and there is a delay of 13 months in filing the restoration application. He has submitted that there is a merit in the O.A. and therefore, it is just and proper to consider the case of the applicant on merit and to condone the delay caused in filing the application for restoration of O.A. No. 340/2014. In support of his submissions he has placed reliance on the judgment delivered by the Hon'ble Supreme Court in case of **Collector, Land Acquisition, Anantnag and another Vs. Mst. Katiji and others** reported in **AIR 1987 Supreme Court 1353 in Civil Appeal No. 460 of 1987.**

6. Learned Presenting Officer has submitted that not a single cause has been mentioned by

//4// M.A. 459/17 with M.A.
332/17 in O.A. 340/14

the applicant explaining the delay caused for filing Misc. Application for the restoration application of the O.A. and in the absence of sufficient cause, the same cannot be allowed and therefore, he prayed to reject the M.A.

7. On perusal of the order passed by this Tribunal in O.A. No. 340/2014 on 30.06.2016, it reveals that the matter was placed before this Tribunal on 09.06.2016 and on that date the detailed order has been passed by this Tribunal, regarding absence of the applicant on previous occasions and posted the matter for dismissal on 30.06.2016. On that date also, the applicant remained absent and therefore, this Tribunal has passed the reasoned order on 30.06.2016 and dismissed the O.A.

8. On perusal of the record, it reveals that the applicant remained absent in the matter throughout. He had not appeared even before the Division Bench, though the matter was taken up for hearing on 21.01.2015, 10.03.2015 and 24.04.2015 and therefore, this Tribunal has held that the applicant is not interested in prosecuting

the matter and consequently, the order dated 30.06.2016 came to be passed. In spite of passing of the said order on 30.06.2016, the applicant has not moved an application for restoration of O.A. for setting aside the dismissal order dated 30.06.2016 in O.A. No. 340/2014 to its original number within a prescribed period of limitation. There is a delay of more than 13 months in filing the restoration application. In the present Misc. Application, not a single cause has been given by the applicant for explaining the delay caused for filing M.A. for restoration of the O.A. No. 340/2014. In the absence of sufficient cause, the delay which is an inordinate delay cannot be condoned.

9. I have gone through the decision referred by the learned Advocate for the applicant. I have no dispute regarding the settled legal principles laid down therein. But considering the facts in the present matter, which shows that the applicant was not diligent throughout in conducting the matter and therefore, O.A. was dismissed. Not

//6// M.A. 459/17 with M.A.
332/17 in O.A. 340/14

only this but, in the absence of sufficient cause, the delay cannot be condoned. Therefore, principles laid down in the above cited decision are not attracted in the instant case. There is no sufficient cause to condone the delay. Therefore, the M.A. for condonation of delay caused in filing the application for restoration of O.A. deserves to be dismissed.

10. In view of the discussions in foregoing paragraphs, the Misc. Application No. 459/2017 for condonation delay is hereby dismissed. Consequently, the Misc. Application No. 332/2017 for restoration of the O.A. is also dismissed. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

**M.A. No. 460/2017 with M.A. No. 331/2017 in O.A. No. 48/2013
(Shri Saheb Rambhau Vede V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 17.04.2018.

ORAL ORDER :

Heard Shri M.V. Thorat, learned Advocate holding for Shri Ganesh Gadhe, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The applicant has filed the Misc. Application No. 460/2017 for condonation of delay caused in filing the application for setting aside the dismissal order passed in O.A. No. 48/2013 on 23.11.2016 and to restore the same to its original position.

3. It is contention of the applicant that the O.A. No. 48/2013 was previously listed before the Division Bench and it came to be transferred to the Single Bench. He could not able to trace out the matter and therefore, he had not appeared before this Tribunal and consequently, O.A. No. 48/2013 came to be dismissed in default on

23.11.2016. He has contended that he could not able to collect the information regarding the said decision and therefore, he could not able to file application for restoration of the O.A. No. 48/2013 in time. Because of these facts, the delay is of 10 months has been caused in filing the restoration application and therefore, he prayed to condone the delay for the above said reasons.

4. The respondents have resisted the contention of the applicant by filing affidavit in reply and contended that no just and reasonable cause has been shown by the applicant for condonation of delay. It is their contention that the applicant remained absent on various dates in the O.A. No. 48/2013 and therefore, this Tribunal dismissed the said O.A. It is their contention that there is no just ground to condone the delay and therefore, he prayed to reject the M.A.

5. Learned Advocate for the applicant has submitted that the applicant was not aware about the transfer of the O.A. No. 48/2013 from

//3// M.A. 460/17 with M.A.
331/17 in O.A. 48/13

Division Bench to Single Bench and therefore, he could not able to collect the date of hearing in the matter. Consequently, the O.A. No. 48/2013 came to be dismissed on 23.11.2016. He has submitted that thereafter he has filed the M.A. for restoration of O.A. along with application for condonation of delay caused for filing the application for restoration of O.A. and there is a delay of 10 months in filing the restoration application. He has submitted that there is a merit in the O.A. and therefore, it is just and proper to consider the case of the applicant on merit and to condone the delay caused in filing the application for restoration of O.A. No. 48/2013. In support of his submissions he has placed reliance on the judgment delivered by the Hon'ble Supreme Court in case of **Collector, Land Acquisition, Anantnag and another Vs. Mst. Katiji and others** reported in **AIR 1987 Supreme Court 1353 in Civil Appeal No. 460 of 1987.**

6. Learned Presenting Officer has submitted that not a single cause has been mentioned by

//4// M.A. 460/17 with M.A.
331/17 in O.A. 48/13

the applicant explaining the delay caused for filing Misc. Application for the restoration application of the O.A. and in the absence of sufficient cause, the same cannot be allowed and therefore, he prayed to reject the M.A.

7. On perusal of the order passed by this Tribunal in O.A. No. 48/2013 on 23.11.2016, it reveals that the matter was placed before this Tribunal on 19.08.2016 and on that date the detailed order has been passed by this Tribunal, regarding absence of the applicant on previous occasions and posted the matter on 21.09.2016. On that date also, the applicant remained absent and therefore, this Tribunal has passed the reasoned order on 23.11.2016 and dismissed the O.A.

8. On perusal of the record, it reveals that the applicant remained absent in the matter throughout. He had not appeared even before the Division Bench, though the matter was taken up for hearing on 19.10.2013, 28.01.2014, 02.04.2014 & 16.06.2014 and therefore, this Tribunal has held that the applicant is not

interested in prosecuting the matter and consequently, the order dated 23.11.2016 came to be passed. In spite of passing of the said order on 23.11.2016, the applicant has not moved an application for restoration of O.A. for setting aside the dismissal order dated 23.11.2016 in O.A. No. 48/2013 to its original number within a prescribed period of limitation. There is a delay of more than 10 months in filing the restoration application. In the present Misc. Application, not a single cause has been given by the applicant for explaining the delay caused for filing M.A. for restoration of the O.A. No. 48/2013. In the absence of sufficient cause, the delay which is an inordinate delay cannot be condoned.

9. I have gone through the decision referred by the learned Advocate for the applicant. I have no dispute regarding the settled legal principles laid down therein. But considering the facts in the present matter, which shows that the applicant was not diligent throughout in conducting the matter and therefore, O.A. was dismissed. Not

//6// M.A. 460/17 with M.A.
331/17 in O.A. 48/13

only this but, in the absence of sufficient cause, the delay cannot be condoned. Therefore, principles laid down in the above cited decision are not attracted in the instant case. There is no sufficient cause to condone the delay. Therefore, the M.A. for condonation of delay caused in filing the application for restoration of O.A. deserves to be dismissed.

10. In view of the discussions in foregoing paragraphs, the Misc. Application No. 460/2017 for condonation delay is hereby dismissed. Consequently, the Misc. Application No. 331/2017 for restoration of the O.A. is also dismissed. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 17-04-2018

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

ORIGINAL APPLICATION NO. 231 OF 2018

[Smt. Aishwarya V. Mudholkar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri Abhay R. Rathod, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Issue notices to respondents, returnable on 20th June, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. By way of interim relief it is hereby directed that appointment, if any shall be subject to the decision in the present O.A., until further order.

9. S.O. to 20th June, 2018.

10. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 232 OF 2018

[Shri Dipak I. Rajput Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri Abhay R. Rathod, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Issue notices to respondents, returnable on 20th June, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. By way of interim relief it is hereby directed that appointment, if any shall be subject to the decision in the present O.A., until further order.

9. S.O. to 20th June, 2018.

10. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 233 OF 2018

[Smt. Namrata A. Shinde Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri Abhay R. Rathod, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Issue notices to respondents, returnable on 20th June, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. By way of interim relief it is hereby directed that appointment, if any shall be subject to the decision in the present O.A., until further order.

9. S.O. to 20th June, 2018.

10. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 697 OF 2016

[Dr. Santosh S. Hindole & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicants, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 to 3 and Shri P.R. Tandale, learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the applicant, S.O. to 6th June, 2018 for hearing on the line of the earlier orders passed by this Tribunal dated 15.12.2016 & 22.02.2017.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

M.A.NO. 138/2018 IN O.A.ST.NO. 335/2018

[Shri Anil V. Mirgane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. This is an application filed by the applicant for condonation of delay of about 3 years caused in filing accompanying Original Application.

3. Issue notices to respondents, returnable on 14th June, 2018.

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

5. 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.

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

8. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, M.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

9. S.O. to 14th June, 2018.

10. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 577 OF 2017

[Shri Ramesh G. Choudhari Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri A.G. Ambetkar, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent Nos. 1 & 2 and Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for respondent No. 3.
2. At the request of learned Advocate for the applicant, S.O. to 12th June, 2018 for filing affidavit in rejoinder.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

M.A.NO. 139/2018 IN O.A.NO. 550/2018

[Shri Shaikh Juberoddin & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. Upon hearing, learned Advocate for the applicant seeks time to take instructions regarding withdrawal, if any of the present Original Application. At his request, S.O. to 24th April, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 876 OF 2016

[Shri Anirudha R. Gavane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri P.P. Kothari, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer for the respondents, S.O. to 20th June, 2018. Awaiting the report of the examiner of documents.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 105 OF 2017

[Shri Nagesh S. Mapari Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri G.J. Pahilwan, learned Advocate holding for Shri G.K. Kshirsagar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 & 2 and Shri I.D. Maniyar, learned Advocate holding for Shri S.G. Kawade, learned Advocate for respondent Nos. 4, 5 & 10. None appears for respondent Nos. 3, 6 to 9 & 11 to 15 though duly served.

2. Learned Advocate Shri S.G. Kawade has filed affidavit in reply on behalf of respondent Nos. 4, 5 & 10 and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 1. Time granted.

4. S.O. to 6th June, 2018 for filing affidavit in reply on behalf of respondent No. 1. Learned Presenting Officer shall file affidavit in reply on or before the next due date.

MEMBER (A)

VICE CHAIRMAN

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

O.A. NOS. 623, 624 & 634/2017 WITH O.A.NO. 135/2018
[Smt. Priti T. Waghmare & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in all these cases and Shri M.P. Gude, learned Presenting Officer for the respondents in all these cases.

2. Learned Advocate for the applicants has submitted that in O.A. No. 135/2018 he will file service affidavit in the office. The same shall be accepted. He seeks leave of this Tribunal to carry out the amendment in O.A. No. 623/2017. Permission granted. The applicant shall carry out the necessary amendment in the said O.A. within a period of two weeks.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of the respondents in O.A. No. 135/2018. Time granted.

4. S.O. to 12th June, 2018.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 262 OF 2017

[Shri Trimbak G. Phasle Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 6th June, 2018 for filing rejoinder.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 693 OF 2017

[Shri Yogesh S. Mulay Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri Avinash S. Khedkar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. Respondent Nos. 1 to 4 are directed to furnish the details of the selection including criteria applied regarding relaxation of age etc. for consideration of the reservation category candidate from open category. The respondents are, therefore, directed to file a copy of the select list containing all these material for open category candidates.
3. S.O. to 11th June, 2018.
4. Learned Presenting Officer to act on the steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 689 OF 2017

[Shri Babasaheb N. Andhale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 14th June, 2018 for filing rejoinder.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 810 OF 2017

[Shri Shaligram M. Sonawane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 13th June, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 818 OF 2017

[Shri Ashok M. Gaike Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents submits that he will file affidavit in reply during the course of the day.
3. Arguable case is made out.
4. **Admit.** The present case be placed for final hearing in due course.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 824 OF 2017

[Shri Jeevan B. Sutar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. The present case be placed on the due date i.e. on 17th June, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

REV. 05/2017 IN O.A.NO. 754/2012

[Dr. Ansari Majid & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri Dhananjay Mane, learned Advocate holding for Shri Milind Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 26th April, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 899 OF 2017

[Dr. Vandana S. Shinde Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri G.N. Khanzode, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent No. 4.

2. At the request of learned Advocate for the applicant, S.O. to 22nd June, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

C.P.NO. 15/2014 IN O.A.NO. 1128/1999

[Shri Revannath R. Landge Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Smt. Bharatee Sathe Sohani, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents seeks time to file short affidavit in reply in terms of earlier order dated 20.02.2018. At his request, S.O. to 4th May, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

C.P.NO. 13/2017 IN O.A.NO. 02/2017

[Shri Dattatraya K. Ubale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed a copy of communication dated 16.04.2018 received to him from the concerned respondent. It is taken on record and marked as document 'X' for the purpose of identification.
3. On perusal of the aforesaid communication it reveals that three months' time is required for getting recommendation from the M.P.S.C. as regards co-delinquents.
4. In that view of the matter, S.O. to 10th July, 2018 for making further submissions on the above line.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

C.P.NO. 46/2018 IN O.A.NO. 207/2015

[Balika D. Tawshikar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri Swapnil Tawshikar, learned Advocate holding for Shri Shaikh Mazhar A. Jahagirdar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 4th May, 2015.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 12 OF 2018

[Shri Khandu T. Chavan Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri P.R. Kadam, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.
2. Both the sides seek time to comply with the earlier order passed by this Tribunal dated 14.03.2018. Time granted.
3. S.O. to 13th June, 2018 for complying with the order dated 14.03.2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 20 OF 2018

[Shri Rameshwar D. Dandge Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. There is no cause for adjournment. However, as learned Presenting Officer is earnestly seeks accommodation, at his request, S.O. to 20th April, 2018, failing which coercive action for non-compliance of the order of depositing of the costs shall be taken.
3. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 30 OF 2018

[Mrs. Rohini S. Deokar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

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

2. Learned Chief Presenting Officer for the respondents submits that he will file affidavit in reply during the course of the day. He undertook to serve the copy thereof on the learned Advocate for the applicant.

3. S.O. to 8th June, 2018 for hearing. Interim relief to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

M.A.NO. 93/2017 IN O.A.ST.NO. 1452/2014

[Smt. Manjushree B. Deshpande Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri H.A. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. S.O. to 2nd May, 2018 for making submission on the line of the earlier order passed by this Tribunal dated 20th March, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 295 OF 2012

[Dr. Arvind N. Bagate & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri G.J. Pahilwan, learned Advocate holding for Shri Milind Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 38 OF 2018

[Shri Suresh D. Shirsat Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. Learned Presenting Officer seeks time to file affidavit in reply.
3. Submissions from the side of the applicant would show that though the charge-sheet is issued long back on 22nd July, 2016 and the present applicant was already superannuated, till today even no enquiry officer is appointed.
4. In the circumstances, besides filing of affidavit in reply, the learned Presenting Officer is directed to make a positive statement on the next date regarding appointment of enquiry officer in the meantime and to file report along with affidavit in reply in this regard. At his request, S.O. to 03.05.2018.
5. Learned Presenting Officer to act upon steno copy.

MEMBER (A)

VICE CHAIRMAN

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

M.A.NO. 142/2018 IN O.A.NO. 66/2018

[Shri Dnyeneshwar P. Kadam Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri Avinash S. Deshmukh, learned Advocate holding for Shri Kuldeep S. Patil, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. Though the present M.A. could not be circulated, circulation is granted right now.
3. Issue notices to non-applicant No. 5 in M.A. No. 142/2018, returnable on 5th June, 2018.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. 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.
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.

:: - 2 - ::
M.A.NO. 142/2018 IN
O.A.NO. 66/2018

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

8. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, M.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

9. S.O. to 5th June, 2018.

10. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 141 OF 2018

[Smt. Nanda P. Bankar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 11th June, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 153 OF 2018

[Shri Mukund M. Dhotre & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri G.I. Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned Chief Presenting Officer seeks time to take instructions as to whether there was a condition for passing of the typing examination within any prescribed time and the effect of the non-compliance of the same by the concerned candidate. He has filed a copy of communication dated 16.04.2018 along with certain copies of documents and the same is taken on record and marked as document 'X' collectively.
3. At the request of learned Chief Presenting Officer, S.O. to 26th April, 2018 for making submissions.
4. Learned Chief Presenting Officer for the respondents to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

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

M.A.NO. 352/2017 IN O.A.NO. 770/2007

[State of Maharashtra & Ors Vs. Shri Narendra Walmik Sonawane]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.R. Bhumkar, learned Presenting Officer for the applicants in M.A., present. Shri H.A. Joshi, learned Advocate for the respondents in M.A. (**absent**).
2. Learned Presenting Officer submits that the present application has become infructuous due to the passage of time. He further submitted that the same may be disposed of as such.
3. In view of the aforesaid submissions made by the learned Presenting Officer, the present Miscellaneous Application is disposed of as has become infructuous without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

M.A.NO. 414/2017 IN O.A.ST.NO. 1443/2017

[Shri Rajendrakumar P. Barhate Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri S.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. Learned Presenting Officer seeks time to file affidavit in reply in the accompanying O.A. Time granted.
3. S.O. to 6th June, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

M.A.NO. 473/2017 IN O.A.ST.NO. 1746/2017

[Smt. Sayeeda Begum Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Smt. U.T. Pathan, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. This is an application filed by the applicant for condonation of delay of about 1 year, 2 months and 10 days caused in filing the accompanying O.A.
3. Learned Advocate for the applicant submits that the Government Hospital is passing any certificate in support of the present application. She however, possesses X-ray report etc.
4. Considering the fact that the delay of about 1 year, 2 months and 10 days in challenging the order of termination in appeal, sufficient cause is made out. Therefore, the present M.A. is allowed and the delay caused in challenging the order of termination is condoned. Accordingly, the O.A. be registered.

There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION ST.NO. 1746 OF 2017

[Smt. Sayeeda Begum Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Smt. U.T. Pathan, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. Upon registration of the present O.A., issue notices to the respondents, returnable on 12th June, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 12th June, 2018.

9. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

VICE CHAIRMAN

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

M.A.NO. 140/2018 IN O.A.NO. 202/2018

[Shri Ashok R. Khandagale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri S.R. Sapkal, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. This is an application filed by the applicant for restoration of the O.A. No. 202/2018.
3. For the reasons stated in the present Miscellaneous Application, the same is allowed without any order as to costs. The O.A. is restored to its original file.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLIATION NO. 202 OF 2018

[Shri Ashok R. Khandagale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri S.R. Sapkal, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. Issue fresh notices to the respondents, returnable on 19th June, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 19th June, 2018.

9. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 152 OF 2007

[Shri Vijaykumar B. Rathi Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri M.M. Bhokrikar, learned Advocate for the applicant has filed leave note. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, present.
2. Learned Presenting Officer for the respondents submits that she has no instructions regarding decision, if any, rendered in the administrative appeal, which was referred in paragraph No. 4 of the earlier order dated 16.03.2018. At her request, S.O. to 13th June, 2018 for taking instructions on the above line.
3. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 523 OF 2013

[Shri Dilip B. Sangle Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri B.G. Sagade Patil, learned Advocate for the applicant, Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for respondent Nos. 1 & 2 and Shri K.B. Jadhav, learned Advocate for respondent No. 3.

2. Upon hearing both the sides, it appears that the present respondent No. 3 is Ganeshwadi, Tq. Newasa, which according to the applicant, is around 40-45 K.M. away from Ghogargaon for which villege, the appointment was to be made by respondent No. 2, Tahsildar, Newasa, Dist. Ahmednagar.

3. Affidavits in reply of respondent Nos. 1 & 2, as well as, respondent No. 3 do not show that the respondent No. 3 at any time placed any documentary evidence to show that the respondent No. 3 had even the knowledge of local condition of the village Ghogargaon. Respondent No. 3 in his affidavit in reply has not clarified the distance between village Ganeshwadi of which he is native and village Ghogargaon.

4. In the circumstances, learned Advocate for respondent No. 3 seeks time to make statement regarding the distance between these two villages. At

his request, S.O. to 27th April, 2018 for making statement and for further hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 126 OF 2016

[Anjanabai H. Suryawanshi Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. In response to the earlier order passed by this Tribunal dated 19th March, 2018, learned Advocate for the applicant has filed a copy of Government Resolution dated 23rd August, 1996. It is taken on record and marked as document 'X' for the identification purpose. The copy of the same has been served on the learned Presenting Officer.
3. S.O. to 24th April, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 228 OF 2018

[Shri Kamalkar K. Phad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 23rd April, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

ORIGINAL APPLICATION NO. 724 OF 2017

[Shri Guruprasad P. Gaikwad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Upon going through the record, it appears that the respondent No. 4 has refused the service of notice. The envelope shows that it is sent by the learned Advocate for the applicant.
3. In the circumstances, in the interest of justice, it would be better that the office itself shall issue notice upon depositing of the necessary fees to the respondent No. 4 of the present application, returnable on 20th June, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 17.04.2018-HDD

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

M.A.NO. 15/2018 WITH O.A.ST.NO. 1816/2017

[Shri Ravindra S. Deshmukh Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. The present M.A. No. 15/2018 has been filed by the applicant for condonation of delay of about 03 years, 10 months and 23 days caused in filing accompanying O.A.
3. On instructions, the learned Advocate for the applicant submits that as the claim of the applicant is under consideration, the applicant does not want to proceed with the present M.A. No. 15/2018 and wants to withdraw the same.
4. In view of the aforesaid submissions made on behalf of the applicant, the present M.A. No. 15/2018 stands disposed of as withdrawn. Consequently, the accompanying O.A. St. No. 1816/2017 also stands disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 826 OF 2017

[Shri Ashok U. Jadhav Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri P.G. Gunale, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that she would take instructions as to within how much period the appeal would be decided. The record shows that the appeal was filed by the applicant on 23/30.9.2009 (Exhibit 'O', page-102). It is to be noted that on the last date i.e. on 23.03.2018 the similar statement was made by the learned Presenting Officer.
3. In the circumstances, as a last chance, S.O. to 5th June, 2018. It is made clear that if the respondents fail to give instructions, this Tribunal would be constrained to impose heavy costs on the concerned respondents and also to take penal action that may be deemed fit.
4. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 26 OF 2018

[Shri Bhushan V. Raut Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 17.04.2018.

ORAL ORDER :

1. Heard Shri S.D. Munde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that he would take instructions regarding the communication, if any made by the concerned respondents with the present applicant for compliance sought at any time, which led to the closer of the file as can be found from the Annexure 'A-7', page-28. A copy of which is also at Exhibit 'R-5', page-42.
3. Page-41, Exhibit 'R-4', would show that the Directorate has lost the file concerning the present applicant.
4. Learned Presenting Officer seeks time to explain as to whether thereafter any communication was made to the applicant for resubmission of the copies of the documents for verification. At his request, S.O. to 5th June, 2018 for compliance.
5. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN