

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

**ORIGINAL APPLICATION NO.03/2018
(Shivji Hajare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

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 on instructions states that the applicant does not wish to proceed with the O.A. and wants to withdraw the same. Therefore, he prayed to pass appropriate order.

3. Since the applicant does not wish to proceed with the O.A. and wants to withdraw the same, the O.A. stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION ST. NO.1932/2017
(Vidya Eghare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri S.Y.Shinde learned Advocate holding for Shri N.L.Choudhary 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, S.O. to 22-03-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION ST. NO.124/2018
(Narayan Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Shri R.R.Bangar learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for respondents is present.

2. At the request of learned Presenting Officer, S.O. to 09-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.No.92/2018 IN REVIEW ST. NO.337/2018 IN O.A.NO.584/2016
(State of Maharashtra & Ors. V/s. Balaji Aherkar)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri V.R.Bhumkar learned Presenting Officer for the applicant (original respondents).

Shri P.P.Uttarwar learned Advocate for the applicant is **absent**.

2. At the request of learned Presenting Officer, S.O. to 03-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.St.No.361/2018 IN O.A.St.No.362/2018
(Sandeep Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents in the M.A., returnable on S.O. to 24-04-2018.

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

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

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

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

7. S.O. to 24-04-2018.

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

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.262/2016
(Dagdu Bansode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri A.D.Gadekar 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 23-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.32/2017
(Smt. Subhadrabai Sonwane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Shri S.K.Mathpati learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for respondents is present.

2. Since none is present for the applicant, case be fixed for passing appropriate order on 11-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.68/2017
(Prakash Dadpe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate holding for Shri R.P.Bhumkar learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for respondents and Shri Shamsundar B. Patil learned Advocate for respondent nos.2 to 5.

2. Respondents have contended in their affidavit in reply that they have decided representation of the applicant dated 04-04-2016 and thereafter passed the order dated 19-06-2017 (p.b.p.41-42) and thereafter extended second benefit of Assured Career Progression Scheme to the applicant in view of the G.R. dated 09-12-2016. They have contended that the reliefs claimed by the applicant have been satisfied. Therefore, they have prayed to dispose of the O.A.

3. Learned Advocate for the applicant also submits that during the pendency of the O.A. benefits in view of the G.R. dated 09-12-2016 have been extended to the applicant and the respondents have granted second benefit of Assured Career Progression Scheme to the applicant. Therefore, nothing survives in the O.A. and he prayed for disposal of the O.A. accordingly.

4. In view of the above submissions of learned Advocate for the applicant as well as the learned P.O. it is evident that reliefs claimed by the applicant are satisfied and nothing survives in the O.A. In view thereof, O.A. stands disposed of with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.199/2017
(Rajubai Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Shri S.K.Mathpati learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for respondents is present.

2. Learned P.O. files additional 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 11-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.261/2017
(Shivram Surwase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Shri S.K.Mathpati learned Advocate for the applicant is **absent**. Smt. Resha Deshmukh learned Presenting Officer for respondents is present.

2. Since none is present for the applicant, S.O. to 11-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.216/2017
(Tajkhan Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

2. As per instructions from the respondents, learned P.O. has submitted that the proposal sent by the respondent no.1 has been returned to the office of Joint Director, Public Health, Pune raising some queries and Joint Director, Public Health, Pune has complied with the queries and he is going to send proposal back to the respondent no.1 today or tomorrow for taking appropriate decision on the same.

3. He has further submitted that on receiving said proposal, respondent no.1 i.e. Secretary will take appropriate decision on it, as per directions given by this Tribunal on 03-11-2017. He, therefore, sought 6 weeks' time for taking decision on the representation of the applicant.

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O.A.No.216/17

4. In view of the submissions made by the respondents, 6 weeks' time is granted to the respondent no.1 to decide the proposal sent by the Joint Director, Public Health, Pune as per the directions given by the Tribunal in the order dated 03-11-2017.

5. S.O. to 03-05-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.234/2017
(Chandrakant Ghule & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri Ashutosh Kulkarni learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 10-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.235/2017
(Krushna Kotole & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri Ashutosh Kulkarni learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 10-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.377/2017
(Baburao Pawar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri P.V.Suryavanshi 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. to 10-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.247/2017
(Dr. Md. Fazlul Haq V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri Asif Ali learned Advocate holding for Shri A.N.Ansari learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. It is evident that despite sufficient time is granted, no reply is filed by the respondents. Learned P.O. submits that no instructions are received from the respondents in this regard.

3. In view of the above, right of the respondents to file affidavit in reply is hereby forfeited. Case be proceeded without reply of the respondents.

4. Matter to come up for final hearing on 20-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.258/2017
(Dr. Deepashri Choudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 23-04-2018 to make submission as to whether the applicant applied for extension of leave after 29-06-2013.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.267/2017
(Dr. Sachin Waghmare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.355/2017
(Rajendra Dawange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Shri K.B.Jadhav learned Advocate for the applicant is **absent**. Shri I.S.Thorat learned Presenting Officer for respondents is present.

2. Since the pleadings are completed, matter is admitted. It may be kept for final hearing on 26-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.473/2017
(Dr. Manoj Ghadsing V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. Deepali Deshpande 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 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.611/2017
(Nagnath Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri S.D.Dhongde learned Advocate for the applicant and Shri I.S.Thorat 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 25-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.704/2017
(Asman Garje & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.B.Choudhary learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

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

3. S.O. to 13-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

**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 : 20.03.2018

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. Shri Dhongde, learned Advocate states that he will file affidavit in reply on behalf of respondent nos.2 and 3 during the course of the day. He also undertakes to serve copy of the same on the other side.

3. S.O. to 17-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

**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 : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 12-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.910/2017
(Subhash Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri R.B.Ade 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, S.O. to 20-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.917/2017
(Deepika Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Priya Bharaswadkar 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 24-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.960/2017
(Pralhad Lahane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri S.D.Munde learned Advocate for the applicant and Shri N.U.Yadav 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 11-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.14/2018
(Subhash Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri R.B.Ade 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.

3. S.O. to 20-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**O.A. NOS. 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894
AND 895 ALL OF 2017**

(Shri Prabhakar D. Mali & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Shri Santosh G. Chapalgaonkar learned Advocate for the applicants in all these matters is **absent**. Shri M.S. Mahajan learned Chief Presenting Officer for the respondents in respective matters and Shri P.K.Wagh learned Advocate holding for Shri Vivek Deshmukh learned Advocate for respondent no.5 in O.A.Nos.884/2017, 888/2017, 892/2017 and 893/2017.

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

4. S.O. to 13-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. Resha Deshmukh 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 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate 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 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri N.U.Yadav 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 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri I.S.Thorat 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 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri I.S.Thorat 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 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.S.Deshmukh 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.

3. S.O. to 27-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.No.163/2017 IN O.A.St.No.487/2017
(Ravaji Sonawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate for the applicant and Smt. Deepali Deshpande 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 12-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.No.168/2017 IN O.A.St.No.404/2017
(Mariba Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

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

3. S.O. to 25-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.No.329/2017 IN O.A.St.No.1994/2017
(Narayan Shete V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Smt. Suchita Dhongde learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

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

3. S.O. to 25-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.No.333/2017 IN O.A.St.No.1192/2017
(Mahadev Gulmire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Smt. Suchita Dhongde learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for respondents and Shri A.D.Gadekar learned Advocate for respondent no.5.

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

3. S.O. to 25-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.No.337/2017 WITH M.A.St.NO.973/2017 IN
O.A.St.No.974/2017
(Abdul Jabbar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Shri K.B.Jadhav learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for respondents is present.

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

3. S.O. to 13-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.No.486/2017 IN O.A.St.No.1663/2017
(Bhaskar Deshpande & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

Heard Smt. Suchita Dhongde learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

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

3. S.O. to 18-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.265/2016
(Shivaji Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

2. At the request of learned Presenting Officer case is adjourned till 03-04-2018 as a last chance.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.630/2016
(Mangal Barase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri Ashish Rajkar 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 03-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**ORIGINAL APPLICATION NO.322/2017
(Rajesh Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri Ashish Rajkar learned Advocate holding for Shri S.D.Joshi 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, S.O. to 03-04-2018.

MEMBER (J)

YUK ORAL ORDER 20-03-2018 F

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

**M.A.No.72/2017 IN O.A.St.No.187/2017
(Shankar Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant has filed representation with the respondents for granting deemed date of promotion w.e.f. 01-01-1990 and he filed said representation on 14-08-2007 but the respondents had not taken decision on the said representation. He was waiting for decision on the said representation, and therefore, delay is caused for filing the O.A. He, therefore, prayed to condone the delay caused in filing the O.A.

3. Learned Advocate for the applicant has also placed reliance on the order of the Tribunal in M.A.No.354/2016 in O.A.St.1621/2016 decided

on 18-04-2017. He has submitted that this Tribunal had also condoned the delay in the cases of similarly situated persons where identical issue was involved. Therefore, on that ground also, he has prayed to condone the delay caused in filing the O.A.

4. Learned Advocate for the applicant has also placed reliance on the judgment in the case of **K.C.Sharma & Ors. V/s. Union of India & Ors. reported in 1997 AIR (SC) 3588** on the basis of which the relief has been granted in other cases. He has submitted that in view of the above circumstances, it is just and proper to condone the delay and to decide the O.A. on merit.

5. Learned P.O. has submitted that the applicant has not calculated the delay correctly. According to him delay of 26 years has been occurred in filing the O.A. as the applicant was eligible for promotion when he passed professional examination in the year 1990. He has submitted that the applicant was

promoted in the year 2007, and thereafter also the applicant has not filed O.A. in time. Therefore, he prayed to reject the M.A. for condonation of delay.

6. On perusal of the documents on record, it reveals that the applicant has made representation with the respondent no.1 on 14-08-2017 and requested to grant deemed date of promotion but the said representation has not been decided by the respondents. Thereafter, again he filed another representation on 01-10-2015. Official correspondence of the respondents show that proposal regarding grant of deemed date of promotion to the applicant was pending with the respondent no.1 and no decision has been taken by the Government on the same. This fact shows that inspite of several attempts made by the applicant, respondents have not taken decision on the representation of the applicant and proposal pending with the respondent no.1. The applicant has not approached the Tribunal earlier as he was

waiting for the decision to be taken by the respondents. Said explanation given by the applicant seems to be plausible, satisfactory and probable. Therefore, it is just and proper to condone the delay caused for filing the O.A. Not only this, but this Tribunal has also condoned delay in M.A.No.354/2016 in O.A.St.No.1621/2016 filed by the similarly situated person.

7. Therefore, in view of the said facts and circumstances, it is just and proper to condone the delay caused for filing the O.A. by allowing the M.A. Therefore, I proceed to pass following order:

ORDER

- (i) M.A.No.72/2017 in O.A.St.187/2017 is allowed.
- (ii) Delay of 7 years and 1 month caused in filing the O.A. is hereby condoned.
- (iii) Registry is directed to scrutinize the papers and after removal of office objections, if any, register and number the O.A.
- (iv) There shall be no order as to costs.

MEMBER (J)

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

**O.A.St.No.187/2017
(Shankar Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 25-04-2018.

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

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

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

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

7. S.O. to 25-04-2018.

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

MEMBER (J)

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

**O.A. Nos.205, 117, 396, 410, 416, 442, 453, 479, 484, 542, 590,
613, 621, 686, 463, 571, 611, 731, 594 and 643 all of 2015 and
OA Nos. 2, 5, 171, 519, 441 & 258 all of 2016.
(Shri S. L. Todkar & Oths. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.03.2018

ORAL ORDER :

1. Heard S/Shri Praful Bodade learned Advocate holding for Shri J. B. Choudhary learned Advocate and Shri S. D. Dhongde, learned Advocate for the applicants and Smt. P. R. Bharaswadkar, learned Presenting Officer and Shri M. S. Mahajan, learned C.P.O., Smt. R. S. Deshmukh,, Shri N. U. Yadav, learned P.O. learned P.O. S/Shri D. R. Patil, I.S. Thorat, Smt. S. K. Ghatе Deshmukh, Smt. D. S. Deshpande, S/Shri M. P. Gude, V. R. Bhumkar, & Shri S. K. Shirse, learned Presenting Officers for respondents in respective matters.

2. Learned P.O. submit that, the Writ Petition bearing No.11443/2016 is pending before Hon'ble Bombay High Court and requested time. Time granted.

3. S.O to 2.4.2018.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

**1)C. P. No.08/18 in O.A. No.998/14.
2)C.P. No.09/18 in TA 2997/91 (WP 2312/91).
(Shri M. M. Asalkar & one oth. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri G. J. Kore, learned Advocate for
the applicants in both the matters and S/Shri
I.S. Thorat and M.P. Gude, learned Presenting
Officers for respective respondents in respective
matters are present.

2. At the request of the learned Advocate for
the applicants, S.O. to 5.4.2018 for making
submission on maintainability as per order dated
6.3.2018.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

O.A. No.664/2016.
(Shri S. W. Asole V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

None present for the applicant. Shri N. U.
Yadav, learned Presenting Officer for respondents
is present.

2. Nobody appeared for last two dates and
today also nobody is present for the applicant.
In the circumstances, S.O. to 10.4.2018 either
for hearing or for passing necessary orders in
default.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

O.A. No.192/2017.

(Shri R. W. Misal & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard with consent Miss P. R. Wankhade, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for respondents.

2. By the present O.A. the present applicant is challenging G. R. dated 16.10.2012 directing regularization in service of the present applicant w.e.f. 1.6.2012 only.

3. According to the applicant since they were working on daily wages from 1.7.2004 the date of regularization ought to have been from 1.7.2004.

4. The learned Advocate for the applicant points towards Annexure A-1 (page 18) i.e. the judgment delivered by Industrial Court in Complaint ULP No.29/2003 between the Union (naming employees including the present

applicants in Annexure to the complaint) and the State to that effect. The complaint was partly allowed. The matter was taken to the Hon'ble High Court by the State of Maharashtra while Writ Petition No.9312/2013, Annexure A-2 (page 35). The Hon'ble High Court vide order dated 25.8.2015 noted all the facts. Ultimately in para nos.4,5 and 6 the Hon'ble High Court observed as under :-

“4. Based on these two communications, he (Shri Patil Umakant, Special Counsel for the Petitioners) indicates that the committee formed for taking a decision with regard to 07 daily-wage employees, has resolved to grant regularization with incidental and consequential benefits from 1.6.2012, vide its decision dated 17.7.2015. It has been concluded that these 07 employees have fulfilled the conditions required under the Government Resolution dated 16.10.2012.

5) Shri Shahane, learned Advocate on instructions from the Respondents' representative present in the Court, submits that their grievance stands redressed in the light of Exhibit X.

6) As such, this Writ petition is disposed of in terms of Exhibit X.”

5. In view of the above fact nothing survives in the present O.A., as statement was made by the present applicant before Hon’ble High Court that their grievance stood redressed in the light of the above statement and the communication to that effect. O.A. is accordingly dismissed without any order as to costs.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

O.A. No. 352/2017.
(Shri G. V. Baviskar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

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

2. The learned P.O. files on record affidavit
pursuance to the order passed by this Tribunal
dated 5.2.2018. The same is accepted. Copy
served on the other side.

3. In view of the said short affidavit the
learned Advocate for the applicant submits that,
the corrective steps are taken and therefore
nothing survives in the O.A. O.A. is therefore,
disposed of without any order as to costs.

VICE CHAIRMAN

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

O.A. No. 569/2017.
(Smt Anuradha Hiwarde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

None present for the applicant. Shri M. P.
Gude, learned Presenting Officer for respondents
is present.

2. Since nobody appears for the applicant,
S.O. to 9.4.2018.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

O.A. No.582/2017.

(Shri S. B. Kokate & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

None present for the applicant. Heard Shri
M. P. Gude, learned Presenting Officer for
respondents.

2. Learned P.O. submits that, presently
respondent no.3 is not required. Reply of other
respondents is already filed on record.

3. S O. to 16.4.2018 for hearing on admission.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

O.A. No.669/2017.
(Shri B. B. Surwase V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Miss. Bhavana Panpatil, learned Advocate holding for Shri S. B. Talekar, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for respondents.

2. While learned P.O. points towards the communication received to her from the concerned respondent the learned Advocate for the applicant points towards the decision of the Hon'ble High Court in Writ Petition No.2516/2011. In the circumstances, it appears that, reply of respondents would be necessary.

3. At the request of the learned P.O., S.O. to 10.4.2018 for filing affidavit in reply.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

O.A. No. 834/2017.
(Shri G. S. Kale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

None present for the applicant. Smt D. S. Deshpande, learned Presenting Officer for respondents is present.

2. Learned P.O. files affidavit in reply of respondents no.1, 2 & 3. The same is accepted. Copy be served on other side.

3. S. O. to 17.4.2018 for hearing on admission.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

**O.A. No.345/2017.
(Shri A. M. Kale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri V. G. Pingle, learned Advocate
for the applicant, Shri D. R. Patil, learned
Presenting Officer for respondents no.1 to 3 and
Shri S. B. Patil, learned Advocate for the
respondent no.4.

2. Learned P.O. files on record the affidavit in
reply of respondent no.1. The same is accepted.
Copy served on the other side. Reply of
respondents no.2 to 6 is already filed on record.

3. S.O. to 04.04.2018.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

**O.A. No.921/2017.
(Dr. A. A. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Shri D. R. Patil, learned Presenting Officer for respondents.

2. Learned P.O. submits that, he has no instructions from the respondents. Learned Advocate for the applicant points towards Annexure A-6 (page no.24), which would show that, State of Maharashtra had also constituted a Committee on 5.6.2017 to go into the issue of regularization of the applicant and other employees, who are employed on contract basis since 2007.

3. In the circumstances, the interim relief granted earlier to continue until further orders.

4. Time to file affidavit in reply is hereby granted.

5. S.O. to 24.4.2018.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

O.A. No.963/2017.
(Shri V. D. Karke & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

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. Learned P.O. seeks time to file affidavit in reply.

3. It is to be noted that, while issuing notices on 22.12.2017 the concerned respondents were directed to take decision on the proposal submitted vide Annexure A-5 & 6 (page nos.42 & 43) and to file reply about decision on the next date. On the next date however, it appears that, no instructions given to the learned P.O. and merely time to file reply was sought.

4. It thus appears that, the concerned

respondents are not interested in taking the decision. However, at the request of the learned P.O. as a last chance, S.O. to 25.4.2018 for compliance of the order dated 22.12.2017, failing which the Tribunal would be constrained to take coercive action or imposing costs on the concerned respondent.

5. Learnèd P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

O.A. No. 818/2017.
(Shri A. M. Gaikar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri V. G. Pingle, learned Advocate
for the applicant and Smt P. R. Bharaswadkar,
learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply. At her
request, S.O. to 17.4.2018.

VICE CHAIRMAN

atp ORAL ORDERS 20-03-2018

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

**ORIGINAL APPLICATION NO. 961/2015
(Manoj J. Agale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for respondents, is present.

2. The learned P.O. submits that Shri Vivek Madhukarrao Kende, Health Worker, Dist. Malaria Prevention Office, Jalna is present in the Court hall.

3. The learned P.O. seeks time. At the request of learned P.O. 3 days' time is granted to take corrective steps or to file short affidavit as per the order of the Tribunal dtd. 4.1.2018, failing which heavy costs would be imposed personally on the concerned respondents and the responsible Officer may be directed to remain present before the Tribunal for the inaction since long. At his request S.O. to 22.3.2018 for compliance of the order dtd. 4.1.2018.

4. Steno copy allowed for the use of learned P.O. for the respondents.

VICE CHAIRMAN

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 06/2018
(Ganesh B. Kundle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 24.4.2018 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 20-03-2018

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

**ORIGINAL APPLICATION NO. 26/2018
(Bhushan V. Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

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

2. The learned C.P.O. files on record affidavit
in reply of res. no. 3. It is taken on record and
copy thereof has been served upon the learned
Advocate for the applicant. He further submits
that presently affidavit in reply of res. nos. 1 & 2
is not necessary. In the circumstances for
hearing on admission, S.O. to 17.4.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 20-03-2018

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

**ORIGINAL APPLICATION NO. 31/2018
(Dattatraya N. Trimukhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Issue notices to the respondents in the present O.A., returnable on 16.4.2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the

question such as limitation and alternate remedy are kept open.

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

7. The learned P.O. points towards the order dtd. 30.12.2017 of institution of the D.E. (page 21). According to her, said order would show that there is delegation of power of grant of sanction to institution of D.E. against a superannuated employee. In the circumstances, the affidavit in reply shall cover the said issue regarding the delegation of power.

8. The issue of grant of interim relief is kept open and the same shall be considered after filing affidavit in reply by the respondents.

9. S.O. to 16.4.2018.

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

VICE CHAIRMAN

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

**M.A. 93/2017 WITH M.A. 409/2014 IN O.A. ST. 1452/2014
(Manjushree B. Deshpande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

None appears for the applicant. Shri N.U. Yadav, learned Presenting Officer for respondents, is present.

2. The learned P.O. points out that by the M.A. no. 409/2014 the applicant is seeking condonation of delay of 719 days in filing the accompanying O.A., whereas M.A. no. 93/2017 is filed by him for permission to amend the O.A. He further submits that decision to allow the amendment in the O.A. would depend on the decision in M.A. no. 409/2017 filed for condonation of delay caused in filing the accompanying O.A.

3. In the circumstances, in view of absence of applicant and his Advocate, S.O. to 17.4.2018 for making submissions on the above line.

VICE CHAIRMAN

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

**M.A. 196/2017 IN O.A. ST. 249/2017
(Manojkumar N. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri Chandrakant Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for the applicant and Smt. Priba R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned P.O. files affidavit in reply of res. nos. 1 to 5 in the present M.A. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. She further submits that presently affidavit in reply of res. no. 6 is not necessary in the present M.A. In the circumstances, S.O. to 16.4.2018 for hearing on admission.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 509/2013
(Mohan B. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondent nos. 1 to 3 and Shri G.N. Patil, learned Advocate for respondent no. 4.

2. At the request of learned P.O. S.O. to 16.4.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 20-03-2018

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

**ORIGINAL APPLICATION NO. 763/2013
(Manohar P. Idekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate
for the applicant and Shri I.S. Thorat, learned
Chief Presenting Officer for respondents.

2. The learned Advocate has placed on record
copy of the written pursis signed by the applicant
and submits that the applicant wishes to
withdraw the present O.A. It is taken on record
and marked as document 'X' for the purpose of
identification.

3. In the circumstances, the present O.A. is
disposed of as withdrawn with no order as to
costs.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 406/2015
(Prakash N. Shrivastav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate
for the applicant and Smt. Deepali S. Deshpande,
learned Presenting Officer for respondents.

2. The learned P.O. seeks time to file short affidavit of the concerned respondent on the line of order dtd. 6.12.2018. It is to be noted that, in the meantime, many chances were granted to the respondents therefor. In the circumstances, at her request, as a last chance, S.O. to 11.4.2018 to act on the order dtd. 6.12.2018.

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

VICE CHAIRMAN

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

**M.A. NO. 95/2018 IN O.A. ST. 378/2018
(Manojkumar B. Dhokchaute & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Smt. Suchita Dhongde Upadhyay, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicants, S.O. to 21.3.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 20-03-2018

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

**ORIGINAL APPLICATION NO. 543/2016
(Pitambar N. Nhavi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

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

2. The learned Advocate, on instructions from the applicant, submits that applicant wants to withdraw the present O.A. He has filed pursis signed by the applicant to that effect and it is taken on record and marked as document 'X' for the purpose of identification.

3. In the circumstances, the present O.A. is disposed of as withdrawn without any order as to costs.

VICE CHAIRMAN

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

**O.A. NOS. 659, 695, 674, 683, 700, 670, 671, 672, 675, 679, 680,
681 & 682 ALL OF 2017**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.3.2018.

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for S/shri S.S. Thombre, M.L. Muthal & A.R. Tapse, learned Advocates for the applicants in respective matters and Shri M.S. Mahajan, learned Chief Presenting Officer & Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in respective matters.

2. Shri Khadap, learned Advocate submits that applicant in O.A. no. 779/2017 has filed S.L.P. (C) No. 6275/2018 before the Hon'ble Supreme Court against the order of Hon'ble High Court. He also submits that the applicants in O.A. nos. 674, 659 & 695/2017 have also filed S.L.Ps. before the Hon'ble Supreme Court but the same are on Diary nos. 8821, 8766, 8767 all of 2018 respectively and are yet to be registered.

3. In view of the directions of Hon'ble High Court, when a query was put to both the sides for according their consent for hearing the present O.As. finally by the Single Judge, Shri Khadap, learned Advocate submits that he will have to take instructions from the applicants in this regard. In the circumstances,

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O.A. NOS. 659/17 & OTHERS

at the request of learned Advocate for the applicant,
S.O. to 26.3.2018 for taking instructions on the
above line.

VICE CHAIRMAN

ARJ ORAL ORDERS 20-03-2018

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

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

(Aruna K. Sanap & Ors. Vs. The State of Maharashtra and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

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

2. The learned C.P.O. / P.O. has filed common affidavit in reply of res. nos. 1 & 2 in O.A. nos. 820, 821 & 822/2017 and separate affidavit in replies of res. no. 3 in the said O.As. The same are taken on record and copies thereof have been served upon the learned Advocate for the applicants. They also seek time to file affidavit in replies in rest of the matters. At their request, S.O. to 11.4.2018 for filing affidavit in replies of the respondents in the rest of matters and also for hearing on admission.

VICE CHAIRMAN

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

MISC. APPLICATION NO. 118/2017

WITH

ORIGINAL APPLICATION ST. NO. 346/2017

(Shri Uday Baburao Pavale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 20.03.2018

ORAL ORDER :

Heard Shri J.R. Patil, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 to 3 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 4 to 6, with consent.

2. By the present M.A., the applicant is seeking condonation of 9 years, 7 months & 15 days delay caused in filing the accompanying O.A. bearing st. no. 346/2017. Vide the accompanying O.A. the applicant is claiming absorption in the cadre of Civil Engineering Assistants for which according to him cause of action arose 9 years, 7 months & 15 days back. The reasons for delay is given that the applicant was making representation after representation and after a decision by the present Tribunal in the original applications of similarly situated employees, he again made representation to the respondents, but the same was not accepted. He

further submits that applicant's children were taking education and he was expending money on their education and, therefore, the applicant was unable to file O.A. within time before the Tribunal for his grievance.

3. The learned P.O. submits that there are no valid reasons for belated filing of accompanying O.A. The reason that the applicant waited for the decision in the matters of other similarly situated employees and went on filing representations, cannot be a valid ground for condoning the 9 years, 7 months & 15 days delay caused in filing the accompanying O.A. She submits that stale cause of action and dead claim is made after 9 years, 7 months & 15 days.

In the circumstances, relying on the ratio laid down by Hon'ble Supreme Court in the case of State of Tamilnadu Vs. Seshachalam reported at 2007 (10) SCC 137 (page 11), the learned P.O. submits that mere filing of representations would not save the period of limitation.

4. In view of foregoing discussion, it reveals that the delay of 9 years, 7 months & 15 days caused in filing the accompanying O.A. is not properly explained by the applicant. The applicant is already superannuated. In the circumstances, the M.A. for condonation of 9

years, 7 months & 15 days delay caused in filing accompanying O.A. is dismissed without any order as to costs. Accordingly the O.A. st. 346/2017 also stand disposed of.

VICE CHAIRMAN

ARJ ORAL ORDERS 20-03-2018