

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

**ORIGINAL APPLICATION NO.168/2018
(Raosaheb Kshirsagar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

Heard Shri N.J.Patil 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 as a last chance.

3. S.O. 26-07-2018.

YUK ORAL ORDER 28-06-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.378/2018
(Laxman Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant has produced communication received from the applicant in which the applicant has stated that he does not wish to proceed with the O.A. as the impugned order has been cancelled by the respondents. He has produced communication of the applicant (dt. 26-06-2018) as well as copy of the order dated 22-06-2018 on record. It is taken on record. In view thereof he prayed for leave to withdraw the O.A. Leave as prayed for is granted.

3. Learned CPO has no objection to dispose of the O.A.

4. In view of the submission made by the learned Advocate for the applicant, O.A. stands disposed of as withdrawn. There shall be no order as to costs.

MEMBER (J)

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

**M.A.No.476/2016 IN O.A.St.No.2024/2016
(Devidas Ahire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

Shri Pramod S. Gaikwad learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for respondents is present.

2. Perused order passed by Hon'ble High Court in Writ Petition No.3234/2018 dated 11-06-2018. Today none is present for the applicant. Hence matter be kept for further order on 17-07-2018.

3. S.O. 17-07-2018.

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**M.A.No.41/2018 WITH M.A.No.202/2017 IN O.A.St.No.322/2017
(Venkat Methe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

Heard Shri Ajay Deshpande learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof has been served on the other side.

3. S.O. 23-07-2018.

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**M.A.No.206/2018 IN O.A.No.314/2018
(Govind Surewad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

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

2. It is contention of the applicant that he could not able to file service affidavit in this Tribunal before due date fixed in the O.A.No.314/2018. In view of the conditions mentioned in the order dated 18-05-2018 O.A. came to be dismissed automatically. It is contention of the applicant that due to inadvertence on the part of the Advocate for the applicant, mistake is occurred and service affidavit could not be filed. Therefore, he prayed to recall the order of dismissal passed in O.A.No.314/2018 and to restore the O.A. to its original stage.

3. Learned Advocate for the applicant submits that valuable rights of the applicant are involved

in the matter, and therefore, he prayed to set aside/recall order of dismissal of the O.A.

4. In the circumstances, learned P.O. submits that necessary order may be passed.

5. In view of the submissions made by the learned Advocate for the applicant and contentions raised by the applicant in the M.A., it is just and proper to recall order of dismissal passed in O.A.No.314/2018 and to decide the O.A. on merit by allowing the present M.A. Order of dismissal passed in the O.A.No.314/2018 is hereby recalled.

6. M.A.No.206/2018 is hereby allowed and stands disposed with no order as to costs. O.A. is restored to its original stage. Applicant shall file service affidavit before Registry forthwith. Thereafter, O.A. be placed before the Tribunal for hearing.

MEMBER (J)

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

**O.A.No.535/2013 WITH O.A.No.575/2013
(Smt. Shubhangi Shejul & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

Heard Shri S.S.Jadhavar learned Advocate for the applicants and Shri N.U.Yadav learned Presenting Officer for respondents in both O.As.

2. Learned Advocate for the applicant submits that the applicant is challenging clause 2(1) of the G.R. dated 31-08-2009 by filing the present O.As. Therefore, the matter requires to be placed before the Division Bench as the subject matter is within the jurisdiction of the Division Bench.

3. Learned P.O. has submitted that he has no objection to place the matter before Division Bench since issue involved in the matter is within the jurisdiction of the Division Bench.

4. In view of above, O.As. are removed from the board. Registry is directed to take steps to place the matter before the Division Bench as per procedure.

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**ORIGINAL APPLICATION NO.217/2016
(Tanuja Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

Heard Ms. Ujjwal Agarwal learned Advocate for the applicant and Mr. M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned CPO seeks time to produce original record regarding Birth and Death Register and to keep the concerned Village Development Officer (VDO) present. Time is granted.

3. S.O. 05-07-2018.

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**ORIGINAL APPLICATION NO.144/2017
(Sharad Pathak V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

Heard Shri Ajay Deshpande learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 26-07-2018 for arguing the matter finally.

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**ORIGINAL APPLICATION NO.665/2017
(Rambhau Kuskar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

Shri Kakasaheb B. Jadhav learned Advocate for the applicant is absent. Shri M.P.Gude learned Presenting Officer for respondents.

2. Since none is present for the applicant, S.O. to 14-08-2018 either for final hearing or for passing appropriate order.

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**ORIGINAL APPLICATION NO.435/2018
(Prakash Ramekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 10-08-2018.

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

8. S.O.to 10-08-2018.

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

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**ORIGINAL APPLICATION ST. NO.889/2018
(Bhagwanrao Tummalwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he is going to take instructions from the applicant as regards withdrawal of the O.A. He, therefore, requested some time. Time is granted.

3. S.O. 04-07-2018.

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**ORIGINAL APPLICATION NO.70/2017
(Rajaram Shendge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018

ORAL ORDER :

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

2. Since pleadings are complete, matter is admitted. It may be kept for final hearing on next date.

3. S.O. 14-08-2018.

MEMBER (J)

YUK ORAL ORDER 28-06-2018 F

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

**ORIGINAL APPLICATION NO. 16/2017
(Shri Sk. Mukhtyar Sk. Noor Ali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri S.G. Magrae, learned Advocate holding
for Shri M.D. Godhamgaonkar, learned Advocate
for the applicant and Smt. Deepali S. Deshpande,
learned Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 30.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 138/2017
(Shri Babu J. Phule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri S.G. Magare, learned Advocate holding
for Shri M.D. Godhamgaonkar, 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 30.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 939/2016
(Shri Rajendra B. Salvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri J.B. Choudhary, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 01.08.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 15/2018
(Smt. Sk. Sabiyabe Sk. Illiyas V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri Sushil Irale Patil, learned Advocate holding for Shri D.R. Irale Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 to 3. Shri S.B. Sable, learned Advocate for respondent No. 4, absent.

2. At the request of learned Advocate for the applicant, S.O. to 02.08.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 364/2018
(Shri Balu B. Hile V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 04.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri S.G. Jadhavar, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 16.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 452/2018
(Shri Mahadeo T. Nagargoje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to take instructions from the applicant for withdrawing the present O.A., as the same is not maintainable. Time granted

3. S.O. to 06.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

FARAD CONTINUATION SHEET

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI, BENCH AT AURANGABAD

M.A. No. 203/2018 in O.A. St. No. 962/2018
(Shri Naserkhan R. Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents in M.A., returnable on 31.07.2018.

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. 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 record.

8. Reply be filed on or before 31-07-2018.

9. S.O. 31-07-2018.

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

MEMBER (J)

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

**ORIGINAL APPLICATION ST. NO. 615/2018
(Dr. Prasad V. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri Vishnu Dhoble, learned Advocate for the applicant (**Leave Note**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 25.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION ST. NO. 894/2018
(Dr. Vidya S. Boindwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri Vishnu Dhoble, learned Advocate for the applicant (**Leave Note**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 25.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION ST. NO. 895/2018
(Dr. Vinayak B. Pache V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri Vishnu Dhoble, learned Advocate for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 25.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 650/2017
(Shri Subhas B. Chaudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri A.P. Yenegure, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for respondents.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 14.08.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 691/2017
(Smt. Surekha J. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 10.08.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 795/2017
(Dr. Anil D. Pandhre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

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

3. S.O. to 14.08.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 83/2018
(Shri Vyankat S. More & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed separate affidavit in replies on behalf of respondent Nos. 3 & 5 respectively. Same are taken on record and the copies thereof have been served on the learned Advocate for the applicant.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1, 2, 4 & 6. Time granted as a last chance.

4. S.O. to 19.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 95/2018
(Shri Damodar N. Shirkhande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri G.N. Kulkarni (Mardikar), learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer for the respondents, S.O. to 09.08.2018 for filing affidavit in reply.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 99/2018
(Shri Sanjay R. Patange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri Ajay Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

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

3. At the request of learned P.O., S.O. to 09.08.2018 for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 155/2018
(Shri Arjun D. Kharat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has file affidavit in reply on behalf of respondent No. 5. Same is taken on record.

3. S.O. to 02.08.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NOS. 112, 113 & 114 ALL OF 2018
(Shri Pandurang B. Ambhore V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicants in all these O.As. (**Absent**). Heard Shri M.S. Mahjan, learned Chief Presenting Officer for respondents in all these O.As.

2. Today, the learned Chief Presenting Officer has placed on record a copy of communication dated 24.04.2018 received to him from the Deputy Collector, EGS, Aurangabad, by which it has been informed that the applicants have received the difference of D.A. and the amount in the tune of Rs. 69,354/- has been disbursed to each of the applicant and therefore, nothing remains in the present O.As. The said communication is taken on record and marked as document 'X' for the purposes of identification.

3. As none present for the applicant, S.O. to 17.07.2018.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 451/2018
(Shri Bhagwat N. Pujari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant has been transferred from Social Forest Department, Beed to Naygaon, Peacock Sanctuary, by the impugned order dated 31.05.2018 issued by the Divisional Forest Officer, Forest Department, Beed. He has submitted that the applicant has been appointed by the Deputy Director, Social Forestry, Beed and therefore, the Divisional Forest Officer, Forest Department, Beed is not the competent transferring authority. The transfer of the applicant has been made on administrative ground, but no reasons have been mentioned therein in the impugned transfer order. He has submitted that the applicant has not yet received relieving letter. He has further submitted that the transfer of the applicant has been made by the respondent No. 3 without following the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention

of Delay in Discharge of Official Duties Act, 2005 (in short the 'Transfer Act 2005') and therefore, it requires to stayed. He has further submitted that the similarly situated persons have filed the O.As. before this Tribunal and this Tribunal has granted stay in those matters and therefore, in view of this also, he prayed to grant stay to the operation and execution of the impugned order of transfer. He has further submitted that the applicant is suffering from Diabetes and he is on leave since 02.06.2018. He has submitted that the applicant has filed a complaint under Prevention of Corruption Act against one of his senior officer and therefore, he has been transferred by the impugned order. Considering all these grounds, he prayed to grant stay to the operation and execution of the impugned order of transfer.

3. Learned Presenting Officer has submitted that the applicant has already been relieved on 31.05.2018, but he has not joined at new posting. She has submitted that the applicant has been transferred in view of the provisions of Section 4(4) of the Transfer Act 2005, on administrative ground and there is no illegality in the impugned order of transfer. Therefore, she prayed to reject the interim relief as prayed for by the applicant.

4. On perusal of the record, it reveals that the applicant has been transferred in view of the

provisions of Section 4(4) of the Transfer Act 2005. Prima-facie there seems no illegality in the impugned order. In pursuance of the impugned order of transfer dated 31.05.2018, the applicant has been relieved from his present post. The applicant has not joined his new posting till today. Therefore, no question of granting stay to the impugned order arises. In these circumstances, in my opinion, it is not a fit case to grant interim relief as prayed for by the applicant. Hence, the interim relief is rejected.

5. Issue notices to the respondents, returnable on 30.07.2018.

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

7. 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.

8. 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.

9. 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.

10. 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 record.

11. Reply be filed on or before 30-07-2018.

12. S.O. 30-07-2018.

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

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**M.A. St. No. 711/2018 in O.A. St. No. 712/2018
(Shri Shankar S. Lande & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

Heard Shri Syd. Rahatali Jahagirdar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The dates of appointments of the applicants, as well as, the dates of their completion of 12 and 24 years of service are different. Therefore, cause of action for each of the applicant is different.

3. Hence, the present Misc. Application for permission to sue-jointly is rejected. The applicants are at liberty to file separate O.As. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 28-06-2018

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

**ORIGINAL APPLICATION NO. 832/2016
(Vishal P. Gangawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.6.2018

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 & 3 and Shri A.B. Rajkar, learned Advocate for respondent no. 2.

2. Shri Mene, learned Advocate holding for Shri Deshpande, learned Advocate for the applicant seeks accommodation. Learned P.O. submits that instructions on the line of order dtd. 7.6.2018 are still awaited. In the circumstances, S.O. to 26.7.2018 for taking instructions by the learned P.O. on the line of order dtd. 7.6.2018 and for final hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 549/2014
(Dattatraya V. Shounak V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.6.2018

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, 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 24.7.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 28-6-2018

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

**ORIGINAL APPLICATION NO. 169/2014
(Sandeep R. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.6.2018

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. has filed on record the concerned record. It is accepted and copy thereof has been served upon the learned Advocate for the applicant.

3. Oral arguments are over. Hence, matter is reserved for judgment, however, both the sides are at liberty to file their written notes of arguments within a period of one week.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 904/2017
(Sindhu T. Mundhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.6.2018

ORAL ORDER :

Heard Shri P.G. Tambde, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that similar O.A. is decided by the principal seat of this Tribunal at Mumbai and he would file copy thereof on record on the next date. At his request, S.O. to 2.7.2018 for placing on record copy of order of principal seat and for final hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 484/2014
(Sanjay S. Pawar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.6.2018

ORAL ORDER :

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

2. Learned Advocate, on instructions from the applicants, submits that the applicants do not want to proceed further with the present O.A. and they be permitted to withdraw the O.A.

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 28-6-2018

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

**ORIGINAL APPLICATION ST. NO. 1022/2018
(Pravin M. Honule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.6.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 3.7.2018.

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. Applicant is directed to file Affidavit of compliance and notice.

7. S.O. to 3.7.2018.

8. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 228/2018
(Kamlakar K. Phad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.6.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant has circulated the matter for speaking to minutes regarding the order passed by this Tribunal dtd. 19.6.2018. It appears that, by the said order this Tribunal had allowed the applicant to withdraw the present O.A. with liberty to file separate proceedings regarding separate charge sheet / show cause issued to him.

3. On hearing both the sides, it appears that, the prayer of the applicant for speaking to minutes regarding order of this Tribunal dtd. 19.6.2018 is not maintainable. Hence it is 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. 531 OF 2014

[Shri Prashant P. Sant & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Shri A.S. Bayas, learned Advocate for the applicants (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. It appears from the proceedings that on the earlier two occasions also i.e. on 23.02.2018 & 16.3.2018 when the matter was taken for consideration by the Single Judge nobody was present. In the circumstances, the present Original Application is dismissed in default without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

ORIGINAL APPLICATION NO. 478 OF 2014

[Shri Amarjeet N. Satwase Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri Akhilesh Tripathi, learned Advocate holding for Shri Sanket S. Kulkarni, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant, on instructions, submits that the applicant is not interested in prosecuting the present Original Application. In the circumstances, the present Original Application is disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

ORIGINAL APPLICATION NO. 468 OF 2014

[Dr. Sou. Veena M. Gaikwad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri M.B. Kolpe, learned Advocate holding for Shri V.D. Gunale, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. S.O. to 16th July, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

ORIGINAL APPLICATION NO. 570 OF 2013

[Shri Nitin K. Salunkhe Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Ms. Sangeeta Nenwani, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.
2. Permission to amend the present Original Application as directed earlier is hereby granted. The applicant shall carry out the necessary amendment during the course of the day.
3. S.O. to 10th July, 2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

M.A.NO. 204/2018 IN O.A.NO. 256/2018

[Shri Avinash P. Chandra & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri M.R. Deshmukh, learned Advocate holding for Shri Santosh G. Chapalgaonkar, learned Advocate for the applicants and Smt. Sanjivani Deshmukh - Ghate, learned Presenting Officer for the respondents.

2. For the reasons stated in the present Miscellaneous Application, the same is allowed and disposed of without any order as to costs. The O.A. No. 256/2018 is restored to its original file.

3. Learned Advocate for the applicant submits that notices were already served on the respondents during the pendency of the Original Application and merely service affidavit along with acknowledgment remained to be filed.

4. Upon filing service affidavit by the learned Advocate for the applicant in the office of this Tribunal, the O.A. be placed for further hearing on 23rd July, 2018.

5. Learned Advocate for the applicant submits that interim relief has already been granted in the O.A., the same be continued.

6. However, learned Presenting Officer for the respondents submits that she would take instructions regarding change of circumstances, if any in the meantime.

7. 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. 202/2018 IN O.A.NO. 396/2016

[Shri Sunil A. Sasane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri D.A. Bide, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant is facing difficulty due to his compulsory retirement in the departmental enquiry. The O.A. is already admitted.

3. For the reasons stated in the present Miscellaneous Application, the same is allowed and disposed of without any order as to costs. The O.A. No. 396/2016 be fixed for final hearing on 7th August, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

M.A. 177/18 WITH M.A. 176/18 IN O.A. 316/18

[Dr. Smt. Jayshri P. Bhusare Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri Avinash S. Deshmukh, learned Advocate holding for Shri Vivek V. Ingale, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondents and Shri V.B. Wagh, learned Advocate for proposed intervenor.

2. S.O. to 4th July, 2018 for hearing in the present M.A.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

ORIGINAL APPLICATION NO. 719 OF 2017

[Shri Sainath L. Todkar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri J.B. Choudhary, learned Advocate for the applicant and Mrs. Priya R. Bharaswadakar, learned Presenting Officer for the respondents.

2. Reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

O.A.NOS. 820, 821, 822, 929 & 956 ALL OF 2017
[Aruna K. Sanap & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri Sandeep D. Munde, learned Advocate for the applicants in these cases and Mrs. Priya R. Bharaswadakar, learned Presenting Officer for the respondents in all these cases.

2. Learned Presenting Officer seeks time. It is to be noted that no interim relief was granted, for the reasons that the respondent M.P.S.C. would come with all the record to take over all view of the matter. In the circumstances, as a last chance, S.O. to 2nd July, 2018. In case no compliance is made, issue of grant of interim relief would be considered at that date.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

ORIGINAL APPLICATION NO. 154 OF 2017

[Naseem Banu Nazir Patel Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri A.N. Nagargoje, learned Advocate for the applicant and Mrs. Priya R. Bharaswadakar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the interim relief is already granted. In the circumstances, no urgency in the present O.A. Hence, remove from the board and it be placed in due course of time.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

ORIGINAL APPLICATION ST. NO. 1025 OF 2018

[Shri Santoshkumar T. Naikwadi & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri S.R. Barlinge, learned Advocate for the applicants and Mrs. Priya R. Bharaswadakar, learned Presenting Officer for the respondents.
2. Upon registration of the present O.A., issue notices to the respondents, returnable on 21st August, 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

O.A.ST. NO. 1025 OF 2018

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. Since the learned Advocate for the applicant submits that the issue of promotion is being considered by the concerned respondent and the seniority of the present applicant is wrongly disturbed against the provisions of rule of 1975, it is hereby directed that until further order, no order of promotion would be issued.

9. S.O. to 21st August, 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**

M.A.ST. 1029/2018 IN O.A. ST. NO. 1025/2018

[Shri Santoshkumar T. Naikwadi & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri S.R. Barlinge, learned Advocate for the applicants and Mrs. Priya R. Bharaswadakar, learned Presenting Officer for the respondents.
2. The present case is not on today's board. Production is allowed.
3. This is an application preferred by the applicants seeking leave to sue jointly.
4. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.
5. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

ORIGINAL APPLICATION NO. 436 OF 2018

[Shri Santosh M. Mane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Smt. S.K. Doke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 21st August, 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

O.A. NO. 436 OF 2018

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. Without filing any detailed affidavit in reply, the respondents are directed to take note of the fact that the present applicant has already passed Government Commercial Certificate Examination of Marathi Typing and Marathi Shorthand before he joining services in the year 2009 as is evident from page Nos. 22 & 23 and take corrective steps regarding release of increment and file report regarding the same on the returnable date. In case, the respondents come to the conclusion that the increment cannot be released according to law or provisions then they shall file short affidavit explaining the reasons therefor, on the next date.

9. S.O. to 21st August, 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**

M.A. 166/18 IN REVIEW ST. 639/18 IN C.P.46/18 IN O.A.207/15

[Shri Prashant P. Sant & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Shri N.U. Yadav, learned Advocate for the applicants in M.A. (respondents in O.A.) and Shri Swapnil Tawshikar, learned Advocate holding for Shri Sk. Mazhar A. Jahagirdar, learned Advocate for the respondent (applicant in O.A.)

2. Learned Advocate for the applicant in O.A. has filed affidavit in M.A. No. 166/2018 and the same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 18th July, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 28.06.2018-HDD

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

ORIGINAL APPLICATION NO. 63 OF 2018

[Dr. Bhawna Suresh Bhagat Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.06.2018.

ORAL ORDER :

1. Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. The present applicant has applied to the post of Associate Professor in Dentistry in response to the advertisement dated 29.7.2016 published by respondent No. 2, Annexure 'A-4', page-25. She was already working on contract basis with the respondent-State on the post of Professor. Admittedly, at the time of filling up application, she was age barred. The clause No. 4.6 of the advertisement however provide that in case of exceptional educational qualification or experience or both, the respondent M.P.S.C. may relax the age limit and the said exception would be available when sufficient number of candidates would not be available for interview.

4. The respondent M.P.S.C. however, on finding that the present applicant was working on contract basis under the Government, has referred the issue of age relaxation to the respondent No. 1. The respondent No. 1 vide Annexure 'A-12', page-47, took decision on 2nd January, 2018. It was decided that the applicant being serving on contract basis, she cannot be considered as regular government employee for age relaxation and, therefore, the recommendation of the respondent M.P.S.C. for relaxation of age was rejected.

5. Learned Advocate for the applicant submits that the proviso in the advertisement, as well as, last proviso to rule 3 of the Reader in Dental Subject at Government Dental Colleges and in Dentistry at Government Medical Colleges, in the Maharashtra Medical Education and Research Service, Class-I (Recruitment) Rules, 1989, would provide that in case exceptional educational qualification or experience or both, the age limit shall be relaxed by the Government on the recommendation of the Commission, in favour of candidates.

6. The record would show that this exercise was not carried by the respondent No. 2, M.P.S.C., but on the different ground as detailed supra, the age relaxation was recommended.

7. In that view of the matter, the following order: -

ORDER

(i) The present Original Application is partly allowed without any order as to costs and the

Government Order dated 2nd January, 2018, Annexure 'A-12', page-47, is hereby quashed and set aside.

(ii) Respondent No. 2, M.P.S.C. is directed to take decision in the light of the last proviso to rule 3 of the Reader in Dental Subject at Government Dental Colleges and in Dentistry at Government Medical Colleges, in the Maharashtra Medical Education and Research Service, Class-I (Recruitment) Rules, 1989, within a period of three months from the date of this order. If respondent No. 2, M.P.S.C., decides that fresh recommendations are required to be made to the respondent No. 1 State, then such recommendations shall be made within a period of one month from the date of taking of the decision as above.

MEMBER (A)

VICE CHAIRMAN