

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

**ORIGINAL APPLICATION NO.344/2017
(Farida Aattar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

Heard Shri S.P.Dhoble learned Advocate holding for Shri N.L.Choudhary learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. At the request of learned P.O., S.O. to 11-01-2018.

3. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.347/2017
(Shri Sanjay Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

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

2. Learned P.O. seeks time to produce a letter in view of the direction given by this Tribunal on 08-11-2017. Short time is granted.

3. S.O. to 24-01-2018.

4. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.364/2017
(Shri Hari Panchal & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

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

2. Learned P.O. states that she will file affidavit in reply during the course of the day. She also undertakes to serve copy of the reply on the other side.

3. S.O. to 25-01-2018.

4. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.394/2017
(Shri Rajesh Belge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

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

2. At the request of both sides,
S.O. to 14-02-2018 for final hearing.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

Heard Shri Prafull Bodade learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

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

3. S.O. to 16-02-2018 for final hearing.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

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

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 06-02-2018 for filing rejoinder, if any.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.808/2017
(Shri Pandharinath Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

Heard Shri G.B.Gadkari learned Advocate holding for Shri Kakasaheb B. Jadhav 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 07-02-2018.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.883/2017
(Shri Datta Munde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

Heard Shri Joslyn Menezes 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 25-01-2018.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.908/2017
(Shri Kamlakar Giri V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

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

2. Shri A.D.Gadekar learned Advocate has filed Vakalatnama on behalf of respondent nos.2 to 4. It is taken on record. Shri Gadekar has filed affidavit in reply on behalf of respondent nos.2 to 4. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. seeks time to file affidavit in reply on behalf of respondent no.1. Time is granted.

4. Learned Advocate for the applicant seeks time to file affidavit in rejoinder.

5. S.O. to 07-02-2018.

6. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**M.A.No.283/2017 IN O.A.St.No.942/2017
(Shri Supadu Bhalerao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

Heard Shri A.M.Kulkarni learned Advocate holding for Shri B.R.Kedar 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 09-02-2018.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**M.A.No.361/2017 IN O.A.No.586/2017
(Shri Shaikh Fasiuddin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

Heard Shri Shaikh Ashraf Patel
learned Advocate holding for Shri Naseek R.
Shaikh 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 09-02-2018.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.959/2017
(Shri Ramrao Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

Heard Smt. Juee Palekar-Parlikar learned Advocate holding for Shri S.D.Joshi learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 08-01-2018.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.14/2017
(Shri Ravindra Varade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

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

2. Learned P.O. prays for adjournment.
Adjournment is granted.

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

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.46/2017
(Dr. Pramod Mhaske & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

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

2. Arguments of both sides are heard at some length. This matter be treated as part heard.

3. S.O. to 23-01-2018 for final hearing.

MEMBER (J)

YUK ORAL ORDER 04-01-2018 F

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

**ORIGINAL APPLICATION NO.590/2017
(Kantabai Shriram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018

ORAL ORDER :

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

2. No reply has been filed by the respondents inspite of ample opportunities granted to them.

3. Learned Advocate for the applicant has submitted that the issue regarding entitlement of the applicant to get family pension has been decided by the Hon'ble High Court in Civil Revision Application No.72/2013 decided on 25-10-2013. He has submitted that accordingly proposal dated 12-08-2016 (paper book page 35) has been sent by the Additional Principle Chief Conservator of Forest, Nagpur to Secretary, (Forest), Revenue & Forest Department on 12-08-2016 but the respondent no.1 Secretary has not taken decision on it since then. He has submitted

that the application may be disposed of with a direction to respondent no.1 to take decision as early as possible in stipulated period of time.

4. Learned P.O. submits that by giving sufficient time to the respondents to take decision on proposal dated 12-08-2016 the matter may be disposed of.

5. In view of the submissions of the learned Advocate for the applicant as well as the learned P.O. It is just to dispose of the O.A. by giving suitable direction. Accordingly, O.A. is disposed of with a direction to the respondent no.1 to take decision on the proposal dated 12-08-2016 sent by Additional Principle Chief Conservator of Forest, (Administration Sub Cadre) M.S. Nagpur on or before 20-02-2018. No order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 961/2017
(Manoj J. Agale 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 : 04.01.2018

ORAL ORDER :

Heard Shri P.A. Kulkarni, learned Advocate holding for Shri Suvidh S. Kulkarni, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the O.A., returnable on 5.2.2018.

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. Before filing any regular affidavit in reply, the respondents are directed to take corrective steps by issuing order of posting, if any, and shall file report about the same on the next date. If for any other reason, the concerned respondents are unable to give posting, then short affidavit explaining the reasons therefor be filed on the next date.

8. S.O. to 5.2.2018.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 06/2018
(Ganesh B. Kundle 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 : 04.01.2018

ORAL ORDER :

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

2. Issue notices to the respondents in the O.A., returnable on 14.2.2018.

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. S.O. to 14.2.2018.

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

VICE CHAIRMAN

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

**M.A. NO. 269/2017 IN O.A. ST. NO. 950/2017
(Dr. Prasad V. Kulkarni & 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 : 04.01.2018

ORAL ORDER :

None appears for the applicants. Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 3 and Shri A.S. Deshmukh, learned Advocate for respondent nos. 4, 6 & 7, are present. None appears for respondent no. 5.

2. Shri Deshmukh, learned Advocate for res. nos. 4, 6 & 7 points out that the present M.A. and the accompanying O.A. st. no. 950/2017 were previously dismissed in default by the Tribunal vide order dated 7.11.2017, because of continuous absence of applicants and their learned Counsel. He has further pointed out that a query raised by the Tribunal has not been satisfied as can be seen from order dtd. 7.11.2017. In the circumstances, in view of absence of applicants & their learned Advocate, S.O. to 17.1.2018 either for hearing of M.A. or passing the order of dismissal in default.

VICE CHAIRMAN

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

**M.A. NO. 515/2017 IN O.A. ST. NO. 1818/2017
(Chandidas B. Deshpande 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 : 04.01.2018

ORAL ORDER :

Heard Smt. Suchita A. Upadhyay (Dhongde), learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the present M.A., returnable on 20.2.2018.

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 M.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. S.O. to 20.2.2018.

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

VICE CHAIRMAN

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

**T.A. NO. 5/2017 (W.P. NO. 6554/2016)
(Swati V. Birajdar 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 : 04.01.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate
holding for Shri S.S. Thombre, learned Advocate
for the applicant and Shri N.U. Yadav, learned
Presenting Officer for the respondents.

2. At the request of learned P.O. S.O. to
22.1.2018 for hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**O.A. NO. 321/2017
(Manisha P. Jagtap 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 : 04.01.2018

ORAL ORDER :

Heard Shri P.A. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that the present applicant is disputing the very system of marking. In fact, affidavit in reply of res. no. 2 would show that the present applicant has committed fouls while walking and, therefore, deduction of marks were there. In the circumstances, these are the questions of the disputed facts. In that view of the matter, the present O.A. cannot be admitted.

3. In the circumstances, the learned Advocate for the applicant is directed to seek instructions from the applicant regarding withdrawal of the present O.A., if any. At his request S.O. to 9.1.2018 for seeking instructions by the learned Advocate for the applicant regarding withdrawal of the present O.A., if any.

VICE CHAIRMAN

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

O.A. NO. 352/2017

(Girish V. Baviskar 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 : 04.01.2018

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that the deponent Shri Pravin s/o Sitaram Pandit, Dist. Treasury Officer, Jalgaon has not adverted to G.R. dtd. 12.12.2011 (page 61 of the O.A.) and even the Circular dtd. 18.5.2013 filed by him along with his affidavit in reply at Annex. R. 3 page 92 of the O.A., before filing affidavit in reply. It further appears that the concerned P.O. has not verified the contents of the said affidavit in reply before filing the same.

3. In the circumstances, Shri Pravin s/o Sitaram Pandit, Dist. Treasury Officer, Jalgaon is hereby directed to appear personally before the Tribunal on 5.2.2018 and explain the above facts by filing additional affidavit in reply as the present O.A. is being unnecessarily prolonged due to his said negligence.

4. S.O. to 5.2.2018 for appearance of Shri Pravin s/o Sitaram Pandit, Dist. Treasury Officer, Jalgaon personally and / or for passing appropriate order according to law.

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

VICE CHAIRMAN

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

**O.A. NO. 361/2017
(Ratnamal C. Gangul 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 : 04.01.2018

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 29.1.2018 for filing affidavit in reply.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**O.A. NO. 393/2017
(Taslim Khan Chand Khan 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 : 04.01.2018

ORAL ORDER :

Heard (Dr.) Swapnil Tawshikar, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 4 and Shri A.S. Deshmukh, learned Advocate for respondent no. 5.

2. At the request of learned Advocate for the applicant, as a most last chance S.O. to 8.1.2018 for hearing on the point of continuation of interim relief.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**O.A. NO. 497/2017
(Sayyed Abrar Husain 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 : 04.01.2018

ORAL ORDER :

None appears for the applicant. Smt.
Sanjivani Deshmukh, learned Presenting Officer
for the respondents, is present.

2. At the request of learned P.O., S.O. to
14.2.2018 for filing affidavit in reply of the
respondents to the amended O.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**O.A. NO. 513/2017
(Dinkar R. Bhosrekar 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 : 04.01.2018

ORAL ORDER :

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

2. The learned P.O. submits that copy of the record of the appeal would be required and he would call the same from the concerned respondent. At his request S.O. to 6.2.2018 for calling record of appeal from the concerned respondent.

VICE CHAIRMAN

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

**O.A. NO. 566/2017
(Rajendra G. Mane 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 : 04.01.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant has sought many adjournments for satisfying the query raised by the Tribunal vide order dated 19.9.2017. He again seeks adjournment for satisfying the said query. At his request, S.O. to 10.1.2018 either for satisfying the query of the Tribunal dated 19.9.2017 or for passing appropriate order.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**O.A. NO. 591/2017
(Sachin B. Jagtap 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 : 04.01.2018

ORAL ORDER :

Heard Shri S.P. Dhoble, learned Advocate
holding for Shri N.L. Choudhary, learned
Advocate for the applicant and Smt. Priya R.
Bharaswadkar, learned Presenting Officer for the
respondents.

2. At the request of learned P.O., S.O. to
7.2.2018 for filing affidavit in reply.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**O.A. NO. 669/2017
(Balasaheb B. Surwase 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 : 04.01.2018

ORAL ORDER :

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O., as a last chance S.O. to 5.2.2018 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**O.A. NO. 856/2017
(Shankar L. Zanke 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 : 04.01.2018

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to
1.2.2018 for filing affidavit in reply of the
respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**O.A. NO. 692/2017
(Bhanudas R. Watane 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 : 04.01.2018

ORAL ORDER :

Heard Smt. Suchita Upadhyay (Dhongde), learned Advocate holding for Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Re-issue notices to the respondent no. 2 in the present O.A., returnable on 14.2.2018.

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 respondent no. 2 intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent no. 2 is 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. S.O. to 14.2.2018.

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

VICE CHAIRMAN

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

**O.A. NO. 693/2017
(Yogesh S. Mulay 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 : 04.01.2018

ORAL ORDER :

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

2. The learned Advocate seeks time to file service affidavit as well as satisfying the query raised by the Tribunal vide order dtd. 25.9.2017. At his request, S.O. to 29.1.2018 for filing on record service affidavit as well as for satisfying the query raised vide order dated 25.9.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 04-01-2018

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

**M.A. NO. 199/2015 IN O.A. ST. NO. 780/2015
(Devendra S. Jade 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 : 04.01.2018

ORAL ORDER :

Heard Smt. Pratibha Bharad, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The present M.A. has been filed by the applicant for condonation of delay of 10 years & 8 months in filing the accompanying O.A. By filing the accompanying O.A. the applicant is challenging the order dtd. 21.3.2003 issued by the Dist. Treasury Officer, Dhule regarding his dismissal from service.

3. The submissions of both the sides would show that the present applicant has earlier challenged the order of his transfer before this Tribunal by filing O.A. no. 241/2000. The said matter was dismissed by the Tribunal however, the applicant was allowed to make a representation to the concerned authority. Thereafter as according to the respondents, the present applicant did not join and, therefore, ultimately he came to be proceeded departmentally and ultimately in the D.E. the

respondents terminated the services of the applicant vide above referred impugned order.

4. In the circumstances, the accompanying O.A. came to be filed before the Tribunal on 23.6.2015. As there was delay of 10 years & 8 months in filing the accompanying O.A., the applicant has filed the present M.A. for condonation of the said delay.

5. Pleadings as well as submissions of the applicant would show that the applicant has in fact approached his regular Advocate Shri Hemant Surve for filing the O.A. within time. The said Shri Surve, learned Advocate went on reporting to him that the O.A. in fact is filed. He, however, lastly came to know of non filing of O.A. and, therefore, he has approached the Tribunal by the present M.A. and O.A.

6. In the M.A. the applicant has blamed Shri Surve, learned Advocate regarding non filing of O.A. before the Tribunal. This Tribunal therefore issued notice to Shri Surve, learned Advocate to file his affidavit in reply in the matter. Accordingly Shri Surve, learned Advocate has filed his affidavit in reply. Reading of the said affidavit in reply would show that, in fact the present applicant has approached Advocate Shri Surve. Shri Surve, learned Advocate has even prepared the O.A. and

through his colleague said affidavit was sworn in before the authorized Officer of the Tribunal. However, thereafter the present applicant did not approach Shri Surve, learned Advocate for filing of the O.A. and, therefore, it was not filed. According to Shri Surve, learned Advocate, the applicant is unnecessarily blaming him for non-filing of the O.A.

7. The learned P.O. opposed the plea of the applicant. He submits that the applicant was very well aware about the procedure of the Tribunal as can be seen from the affidavit in reply filed by Shri Surve, learned Advocate wherein it is pleaded that even earlier also the present applicant has filed O.A. challenging his order of transfer and was party in various litigations. Therefore, it cannot be accepted that the applicant merely relied over the submissions of Shri Surve, learned Advocate that the O.A. for challenging the impugned order of dismissal is filed and it is pending.

8. Besides issuing notice to Shri Surve, learned Advocate, this Tribunal has also directed the Registry to find out whether any affidavit was sworn in by the applicant during the relevant period. Copy of extract of stamp register submitted by the office would show that in fact affidavit was sworn in by the applicant before the authorized Officer of the Tribunal

within limitation. What has occurred thereafter is in dispute between the applicant and Shri Surve, learned Advocate

9. Taking into consideration all above facts, it is clear that the applicant wanted to challenge the order of his dismissal dtd. 21.3.2003 and therefore within time he approached Shri Surve, learned Advocate, who has even prepared the O.A. and got sworn in affidavit of the applicant.

10. Since we are not dealing with the case of criminal liability where standard of proof for proving the facts would be beyond the reasonable doubt and since the Tribunal requires to be liberal in condoning the delay more particularly in the above set of facts that the applicant in fact has approached Shri Surve, learned Advocate, in my view, the delay of 10 years & 8 months in filing accompanying O.A. is required to be condoned.

11. In the circumstances, M.A. is allowed and disposed of without any order as to costs. The delay of 10 years & 8 months in filing accompanying O.A. is hereby condoned.

12. The Office is directed to register the O.A. according to due procedure.

VICE CHAIRMAN

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

O.A. ST. NO. 780/2015
(Devendra S. Jade 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 : 04.01.2018

ORAL ORDER :

Heard Smt. Pratibha Bharad, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the O.A., returnable on 20.2.2018.

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. S.O. to 20.2.2018.

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

VICE CHAIRMAN

FARAD CONTINUATION SHEET

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

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

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

3. S.O. to 14.02.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 360/2017 in O.A. St. No. 1264/2017
(Shri Sitaram M. Bhokare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

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

3. S.O. to 16.01.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 775/2017

(Shri Dilip N. Sangale & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Shri Sudhir Patil, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O. to 09.02.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 778/2017

(Shri Parshuram S. Bramhne & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Shri Sudhir Patil, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O. to 09.02.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 488/2017
(Shri Ramchandra S. Jaybhaye V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Shri S.D. Dhongde, 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 16.01.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 489/2017 in O.A. St. No. 1715/2017
(Dr. Suresh M. Karamunge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Shri R.R. Bangar, learned Advocate holding
for Shri I.D. Maniyar, 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 22.01.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION ST. NO. 1901/2017
(Shri Popat D. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

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

2. As none present for the applicant, S.O. to 23.01.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 719/2016

(Shri Pandurang M. Chandanshiv V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Heard Shri L.H. Kawale, learned Advocate holding for Shri K.J. Suryawanshi, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 to 3 and Shri S.S. Deogude, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for respondent No. 4.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 15.02.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 213/2017
(Shri Kaniram M. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate holding for Shri D.T. Devane, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 31.01.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 246/2017
(Shri Deepak L. Shere V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Shri A.M. Nagarkar, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondent No. 1.

2. Learned Advocate Shri Shamsundar B. Patil, has filed VAKALATNAMA on behalf of respondent No. 2. Same is taken on record. He seeks time to file affidavit in reply on behalf of respondent No. 2.

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

4. S.O. to 06.02.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 01/2018 in O.A. St. No. 1965/2017
(Shri Chandrashekhar M. Soman V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the prayer clause of the O.A. Leave as prayed for by the learned Advocate for the applicant is granted. The necessary amendment shall be carried out within one week.

3. Learned Advocate for the applicant has submitted that another matter i.e. M.A. No. 515/2017 in O.A. St. No. 1818/2017 filed by Mr. C.B. Deshpande claiming similar relief has been placed on the board of Division Bench of Hon'ble Vice Chairman. Therefore, he prayed to place the present matter before the Hon'ble Vice Chairman.

//2//

M.A. 01/18 in
O.A. St. 1965/2017

3. In view of the submissions made by the learned Advocate for the applicant, the matter be placed before the Hon'ble Vice Chairman along with M.A. No. 515/2017 in O.A. St. No. 1818/2017.

4. S.O. to 20.02.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 03/2018 in O.A. St. No. 06/2018
(Shri Ashok R. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to satisfy the Tribunal as to whether this Tribunal can entertain the O.A., as the applicant was serving with the Zilla Parishad. Time granted.

3. S.O. to 18.01.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 616/2017
(Shri Sukhdeo D. Khemnar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

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

2. On instructions, the learned Advocate for the applicant states that the applicant does not want to proceed with the present O.A. and he wants to withdraw the same.

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

4. As the applicant does not want to proceed with the O.A. and wants to withdraw the same, the O.A. stands disposed of as withdrawn without any order as to costs.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION ST. NO. 1857/2017
(Shri Vasant N. Phad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant is not pressing the prayer clauses 11 (C) & (D) and therefore, the applicant wants to delete the same. Therefore, he prayed to grant leave of this Tribunal to delete the prayer Clauses 11 (C) & (D). Leave to amend the O.A. is granted. The necessary amendment shall be carried out forthwith.

3. Learned Advocate for the applicant has submitted that the prayer of the applicant is limited that the direction be given to the respondents to decide his representation dated 04.05.2017 pending with the respondent No. 3. He has submitted that by giving the direction to

the respondent No. 3 to decide the representation of the applicant within a stipulated time, the present Original Applicant may be disposed of.

4. Learned Presenting Officer has submitted that three months' time may kindly be given to the respondent No. 3 to take decision on the representation dated 4.5.2017 filed by the applicant.

5. In view of the submissions made by the learned Advocate for the applicant and learned Presenting Officer, the Original application stands disposed of with a direction to the respondent No. 3 to take decision on the representation dated 4.5.2017 made by the applicant within a period of three months from the date of this order on merit. There shall be no order as to costs.

MEMBER (J)

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 258/2017

(Dr. Deepashri G. Choudhary V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

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

2. Today, learned Presenting Office has placed on record a copy of communication dated 03.01.2018 and prayed to grant two weeks' time for filing affidavit in reply.

3. On perusal of the record, it reveals that already ample opportunities have been given to the respondents for filing affidavit in reply. A most last chance was granted on 9.10.2017 and thereafter, again another chance was given on 10.11.2017 with a direction to the respondents to file affidavit in reply. In spite of ample opportunities were given to the respondents, they were failed to file affidavit in reply and now they

are again seeking time for filing affidavit in reply. There is no just ground to grant time for filing affidavit in reply. In the interest of justice, two weeks' time is granted to the respondents for filing affidavit in reply subject to payment of Costs of Rs. 5,000/- (Five Thousand Only). The payment of costs shall be deposited in the registry of this Tribunal.

3. S.O. to 24.01.2018.

MEMBER (J)

KPB ORAL ORDER 04-01-2018

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

M.A.NO. 214/2017 IN O.A.NO. 150/2017

[Shri Balasaheb Mane Vs. State of Maharashtra & Others]

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 : 04.01.2018.

ORAL ORDER :

Shri S.S. Dambe, learned Advocate for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 to 3. Shri B.G. Chinte, learned Advocate for respondent No. 4 (**absent**).

2. At the request of learned Presenting Officer, S.O. to 12th February, 2018, as a last chance, to comply the order dated 26.06.2017.

VICE CHAIRMAN

ORAL ORDERS 04.01.2018-HDD

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

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

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

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 : 04.01.2018.

ORAL ORDER :

Heard Shri U.T. Pathan, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 20th February, 2018 for filing affidavit in reply in M.A. No. 473/2017.

VICE CHAIRMAN

ORAL ORDERS 04.01.2018-HDD

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

ORIGINAL APPLICATION NO. 22 OF 2015

[Sow. Chhaya P. Kamble Vs. State of Maharashtra & Others]

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 : 04.01.2018.

ORAL ORDER :

Shri R.K. Ashtekar, learned Advocate for the applicant (**absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer submits that the concerned respondent has requested for certain time to give instructions on the line of the order dated 28.11.2017. At her request, S.O. to 5th February, 2018 for taking instructions on the line of the order dated 28.11.2017.

VICE CHAIRMAN

ORAL ORDERS 04.01.2018-HDD

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

ORIGINAL APPLICATION NO. 739 OF 2016

[Shri Datta B. Mukhade Vs. State of Maharashtra & Others]

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 : 04.01.2018.

ORAL ORDER :

Heard Shri S.P. Dhobale, learned Advocate holding for Shri A.V. Patil (Indrale), learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed on record copy of the application form and copy of hall-ticket. Those are taken on record and marked as document 'X' collectively for the purpose of identification.

3. The applicant is seeking his consideration for the post of Senior Clerk of Scheduled Tribe with respondent No. 2. The advertisement notified by the respondent No. 2 is at Annexure 'A-1' (page-15). At page No. 16, at Sr. No. 1, the respondent No. 2 had prescribed an experience in clerical cadre of administrative / accounting of one year with a Government office, a public sector undertaking or any commercial institute. The present applicant, as per page-33 has filed

certificate of Gram Panchayat Lokshikshan Samiti, Gadibori, Tq. & Dist. Hingoli, it would show that the applicant has worked with the said committee from 02.03.2012 to 08.03.2013 as a Coordinator (प्रेरक). Learned Advocate for the applicant has relied on the Government Resolution dated 15.10.2010, Annexure 'A-4' page-37. At page-40, the Government has allotted duties to the Coordinator. Duty No. 6 is responsibility of the Coordinator to make entries regarding accounts.

4. In the circumstances, there is a dispute as to whether the qualification prescribed by the respondents of having one year's experience in clerical cadre regarding Administrative / Accounting and as to whether an allied duty of a Coordinator keeping entries of the Accounts are one and the same thereby making a present applicant as eligible for consideration for selection.

5. In that view of the matter, arguable case is made out. **Admit.** Learned Presenting Officer waives notice of admission.

6. The present case be removed from the board and it be placed before the Division Bench as and when it is available.

VICE CHAIRMAN

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

M.A.NO. 308/2016 IN O.A.ST.NO. 975/2016

[Shri Waman N. Bondar Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

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

2. Learned Presenting Officer makes a statement in view of the order dated 8.12.2017 passed by this Tribunal in M.A. No. 308/2016, that the order in earlier O.A. is complied with. In fact, the present M.A. for condonation of delay is filed in the accompanying Original Application for implementation of the said decision in the Original Application. He submits that in view of the above fact nothing survives in the present application.

3. In view of the absence of the applicant or his learned Advocate, S.O. to 22nd January, 2018 either for making submissions by the applicant or for passing necessary orders in the matter.

VICE CHAIRMAN

ORAL ORDERS 04.01.2018-HDD

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

M.A.NO. 480/2016 IN O.A.ST.NO. 1607/2016

[Shri Mahadeo K. Wankhade Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Shri S.R. Pande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. This is an application filed by the applicant for condonation of delay of about 887 days caused in filing accompanying Original Application.

3. Heard both the sides. The learned Presenting Officer filed on record a copy of the communications dated 12th June, 2017 & 14th August, 2017 made by the Joint Director, Vocational Education and Training, Regional Office, Aurangabad i.e. respondent No. 3 to the Director (Training), Vocational Education & Training, M.S. Mumbai i.e. respondent No. 1, regarding the grant of deemed date of promotion of the applicant.

4. Learned Advocate for the applicant points towards the similar proposal already made by the Joint Director to the Secretary i.e. respondent No. 1 long back i.e. on 14.8.2014 page-26 of the O.A. He submits that in the circumstances, the

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M.A.NO. 480/2016 IN
O.A.ST.NO. 1607/2016

respondent No. 1 can be directed to take decision on the said communication, which is pending since 14.8.2014 by the respondent No. 1 within a prescribed period.

5. Taking into consideration all these facts, the delay of about 887 days caused in filing accompanying Original Application is hereby condoned. The present M.A. 480/2016 is allowed and disposed of. The accompanying Original Application be registered upon due procedure.

There shall be no order as to costs.

VICE CHAIRMAN

ORAL ORDERS 04.01.2018-HDD

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

ORIGINAL APPLICATION NO. 07 OF 2018

[Shri Mahadeo K. Wankhade Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.01.2018.

ORAL ORDER :

Heard Shri S.R. Pande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed copy of communications dated 12th June, 2017 & 14th August, 2017 and the same are taken on record and marked as document 'X' Collectively for the purpose of identification.

3. Both the sides submit that by giving directions to respondent No. 1 to decide the communication dated 14.8.2014 received to him from the Joint Director Joint Director, Vocational Education and Training, Regional Office, Aurangabad i.e. respondent No. 3 (page-26 of the O.A.) within a prescribed period, the present Original Application may be disposed of.

4. In view of the above submissions made on behalf of both the sides, the present Original Application is disposed of with a direction to the respondent No. 1 to decide the communication dated 14.8.2014 received to him from the Joint Director, Vocational Education and Training,

:: - 2 - ::
O.A. NO. 07 OF 2018

Regional Office, Aurangabad i.e. respondent No. 3 (page-26 of the O.A.) within a period of four weeks from the date of this order. There shall be no order as to costs.

5. Learned Presenting Officer shall act upon steno copy.

VICE CHAIRMAN

ORAL ORDERS 04.01.2018-HDD