

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

**M.A. No. 163/2018 in O.A. St. No. 648/2018
(Smt. Aruna S. Bhingardive & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.05.2018.

ORAL ORDER :

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

2. The present M.A. has been filed by the
applicants for permission to sue jointly the O.A.

3. Perused the misc. application. Considered
the contentions.

4. For the reasons stated in the M.A. it is
allowed and disposed of and the applicants are
permitted to sue jointly the O.A. subject to
payment of requisite court fees by each of the
applicant.

5. The Office to register the O.A. on due
scrutiny.

VICE CHAIRMAN

KPB ORAL ORDER 03-05-2018

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

**O.A. St. No. 648/2018
(Smt. Aruna S. Bhingardive & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.05.2018.

ORAL ORDER :

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

2. Issue notices to the respondents,
returnable on 02.07.2018.

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 02-07-2018.

9. S.O. 02-07-2018.

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

VICE CHAIRMAN

KPB ORAL ORDER 04-05-2018

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

**ORIGINAL APPLICATION NO. 249/2018
(Shri Shabuddin Shaikh Kudroddin Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.05.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 02.07.2018.

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 02-07-2018.

9. S.O. 02-07-2018.

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

VICE CHAIRMAN

KPB ORAL ORDER 04-05-2018

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

**ORIGINAL APPLICATION NO. 286 OF 2018
(Smt. Sangeeta D. Aghamkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.05.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the representations of the present applicant at Annexures 'A-5' & 'A-6' (paper book page nos. 22 & 23) are not decided by the concerned respondent.

3. In the circumstances, without issuing notices to the respondents, the present O.A. is disposed of without any order as to costs with a direction to the respondent No. 5 to decide the representations of the present applicant as per Annexures 'A-5' & 'A-6', if not already decided, within a period of two months from the date of this order.

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

VICE CHAIRMAN

KPB ORAL ORDER 04-05-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 287/2018
(Dr. Ritabhushan A. Garhwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.05.2018.

ORAL ORDER :

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

2. Liberty to add prayer clause regarding pension etc. is hereby granted. The necessary amendment would be carried out.

3. Learned Advocate for the applicant submits that the pending resolution of the issue regarding correct fixation of pay, the concerned respondent could have process the pension papers, as the applicant is retired on superannuation on 31.12.2017.

4. In the circumstance, following order:

5. Issue notices to the respondents, returnable on 02.07.2018.

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. **In the meantime, concerned respondents are directed to process the pension papers of the present applicant on the basis of present pay fixation carried out by them.**

12. Reply be filed on or before 02-07-2018.
13. S.O. 02-07-2018.
14. Steno copy and hamdust is allowed to both the sides.

VICE CHAIRMAN

KPB ORAL ORDER 04-05-2018

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

**ORIGINAL APPLICATION NO. 01 OF 2018
(Shri Vilas Kishanrao Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.05.2018.

ORAL ORDER :

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

2. With consent of both the sides, the present matter is heard finally.

3. Learned Presenting Officer files affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

4. The present applicant is seeking quashment and setting aside the impugned order dated 27.12.2017 on the ground that it was mid-term transfer. By the said order, the present applicant was transferred from Parbhani to Nagpur.

5. The affidavit in reply of respondent Nos. 1 to 4 would show that the present applicant was serving at Parbhani on the post for 6 years and 5 months and the transfer order is issued in view of the prior approval of the higher authority and there is a single post of Sr. Clerk in the office of

respondent at Parbhani and considering the other factors, the transfer order was effected.

6. During the pendency of the O.A., no interim relief was granted in favour of the applicant. Considering the fact that the applicant was serving at Parbhani for 6 years and 5 months and there is no reason find to any mala-fide in the transfer that the action was taken after prior approval of the higher authority as per the provisions of Transfer Act, 2005.

7. Learned Advocate for the applicant submits that the applicant has filed consent application on 15.12.2017 and the same is not yet decided by the respondents and present applicant came to be transferred. He has also relied on the G.R. dated 25.05.2006.

8. In the circumstances, I do not find merit in the present O.A. Hence, the O.A. is dismissed without any order as to costs.

VICE CHAIRMAN

KPB ORAL ORDER 04-05-2018

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

**M.A. NO. 212/2016 IN O.A. ST. 664/2016
(Shri Nandkishor Chotulal Khicchi 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 : 4.5.2018

ORAL ORDER :

Heard Shri Nandkishor C. Khicchi, party in person and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By the present misc. application, the applicant is seeking condonation of delay of about 9824 days caused in filing accompanying O.A.

3. Pleadings in this misc. application, as well as, in accompanying O.A. and submissions from both the sides would show that, the applicant claims that he was appointed as a Police Constable at Ahmednagar by certain office orders by the Director General of Police, Mumbai somewhere in the year 1979. Thereafter he approached the various authorities at the office of Superintendent of Police, Ahmednagar right from the Clerk. However, the appointment was avoided, hence, he claims the appointment. As the delay is caused in filing the accompanying O.A., the present misc. application is filed.

4. There is, in fact, no need to go into the merit of the present misc. application or accompanying O.A.

5. The respondent State has pointed out that the present applicant had earlier filed O.A. bearing no. 451/2009 before this Tribunal. Vide order dtd. 22.9.2009, the Division Bench of this Tribunal has dismissed the said O.A. as well as refused to condone the delay caused in filing that O.A. It was even observed that, the applicant is under imagination that, he was appointed as a Police Constable in the year 1979. The Tribunal observed that the said case deserves to be dismissed with heavy costs, however, taking into consideration the tenor of the pleadings, the bench had reservations about the sanity of the applicant.

6. The applicant has not disclosed this fact in the present M.A.

7. Considering the age of the applicant, we also are reluctant to impose any costs on the applicant while dismissing the present M.A.

8. In the circumstances, the present M.A. is dismissed. In view of dismissal of present M.A. the accompanying O.A. is also dismissed. There shall be no order as to costs.

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

CHAMBER APPEAL NO. 01 OF 2018

(Shri Tikaram H. Sarjare Vs. The State of Maha. and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.05.2018.

ORAL ORDER:

Heard Shri Chandrakant R. Thorat – learned Advocate for the applicant.

2. Vide order dated 20.04.2018 the Registrar of this Tribunal Bench at Aurangabad was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 14.03.2018 the office has raised the following office objections: -

- 1) O.A. appears to be barred by limitation.
- 2) Page Nos. 27 to 34, 39, 43, 44, 70 to 72, 75, 76 & 127 are not legible.
- 3) On page 13 & 14 of O.A. date is wrong.

3. The learned Advocate for the applicant appeared today i.e. on 04.05.2015 and has undertaken to remove the office objections forthwith.

4. Technically the Registrar was right in refusing the registration since nobody appeared

CHAMBER APPEAL NO. 01 OF 2018

for the applicant in view of the objection in spite of repeated chances. The learned Advocate for the applicant submits that he could not attend the Tribunal due to his personal difficulty and, therefore, the registration was refused. The fact that the O.A. is filed by the applicant seeking up-gradation on the post of Medical Officer, Class-II w.e.f. 2.3.1979 with arrears and benefits and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the interest of justice to allow the Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate.

5. In view of the above, I pass the following order:

ORDER

(i) Chamber Appeal No. 01/2018 is allowed as the learned Advocate for the applicant has undertaken to remove the office objections immediately.

(ii) The Registrar of this Tribunal Bench at Aurangabad is directed to place this matter before the appropriate Bench for hearing.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 278 OF 2018
(Shri Uday V. Hande 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 : 4.5.2018

ORAL ORDER :

Heard Shri M.K. Deshpande, learned Advocate holding for Shri Swapnil A. Deshmukh, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it *prima facie* appears that no notice can be issued, as the present applicant does not have qualification of passing typing test, which was a precondition for his promotion.

3. On the documents filed on record, it appears that the racket was active for causing mass promotion in such fashion.

4. Learned Advocate Shri M.K. Deshpande seeks time to satisfy the above query. At his request, S.O. to 12th June, 2018 for satisfaction of the above query.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 4-5-2018-HDD

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

**ORIGINAL APPLICATION NO. 277 OF 2018
(Shri Ramesh B. Walekar 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 : 4.5.2018

ORAL ORDER :

Heard Shri M.K. Deshpande, learned Advocate holding for Shri Swapnil A. Deshmukh, 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 3rd July, 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

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O.A. NO. 277 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. S.O. to 3rd July, 2018.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 4-5-2018-HDD

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

**ORIGINAL APPLICATION NO. 258 OF 2018
(Shri Shraddha K. Kandakure 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 : 4.5.2018

ORAL ORDER :

Heard Shri Sandeep D. Munde, 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 12th June, 2018.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

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

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

8. Upon hearing the learned Advocate for the applicant, it is hereby declared that the appointment if any, made from the Open Female Category, as per the merit list published by the respondent, M.P.S.C., vide Annexure 'A-5', page-44, shall be subject to the outcome of the present Original Application.

9. Respondent, M.P.S.C., is directed to place this fact on its official website.

10. Respondent No. 2 shall also make aware the selected candidates from the above category in their appointment letters, if any issued later on, about the interim order passed by this Tribunal today.

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

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

ORAL ORDERS 4-5-2018-HDD

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

C.P.NO. 02/2016 IN O.A.NO. 344/2014

**(The Association of the Technical Assistant, through its President, Shri.
Tukaram S/o Devappa Patil V/s. Mrs. Shivaji S/o. Maroti Upase & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.5.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri. V.R. Bhumkar, learned Presenting Officer for respondent No. 2 and Shri Dipesh Karnik, learned Advocate holding for Shri Vivek Dhage, learned Advocate for respondent No. 1.

2. Shri Dipesh Karnik, learned Advocate holding for Shri Vivek Dhage, learned Advocate for respondent No. 1 has filed Pursis and the same is accepted and taken on record.

3. In view of the fact stated in the pursis and submissions made at bar by the learned Advocate for respondent No. 1, learned Advocate for the applicant submits that notice would be required to substituted respondent No. 1.

4. Hence, issue notice to respondent No. 1, returnable on 20th June, 2018.

MEMBER (A)

VICE CHAIRMAN

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

**C.P.ST.NO. 543/2018 IN O.A.NO. 598/2013
(Smt. Yogita S. Markad 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 : 4.5.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed copy of the letter dated 26.03.2018 addressed to the applicant by Office Superintendent, Deputy Director of Land Record, Nashik Region, Nashik and the same is taken on record and marked as document 'X' for the purposes of identification.

3. On perusal of the aforesaid letter it appears that the verification of the document of the applicant is carried out by the concerned respondent on 10th April, 2018. However, till this date no positive action is taken.

4. In these circumstances, issue notices to the respondents, returnable on 20th June, 2018.

5. In the meantime the concerned respondents may take further steps and comply with the order dated 16th July, 2015 passed in the O.A. No. 598/2013 and file report about the same on the due date.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 288 OF 2018
(Shri Rajendra V. Marale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.5.2018

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 notices to the respondents, returnable on 7th June, 2018.

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

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

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

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

O.A. NO. 288 OF 2018

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. Considering the fact that the present transfer is mid-tenure transfer, presently without going into the merit of the case, status quo as on today shall be maintained till the next date.

9. S.O. to 7th June, 2018.

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

VICE CHAIRMAN

ORAL ORDERS 4-5-2018-HDD

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

**ORIGINAL APPLICATION NO. 279/2018
(Ashok P. Shelke 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 : 4.5.2018

ORAL ORDER :

Heard Shri M.K. Deshpande, learned Advocate holding for Shri Swapnil A. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Upon hearing and more particularly perusing Annex. A.8 pages 38 and 40, it prima-facie appears that, a perjury has been committed as regards Annex. A.8. Annex. A.8 would show that the office of the Collector, Jalna had received the said explanation to the show cause notice on 31.3.2018 and the explanation itself is dated 17.3.2017. In the said explanation the applicant has explained to the Collector, Jalna that he was filing the documents regarding typing tests etc. Accompanying document i.e. result of typing test would show that the applicant has appeared for Government Commercial Certificate Examination through Devgiri Typewriting Institute, Ambad in August, 2017. It is however unbelievable that in the month of March, 2017 the said certificate should have been in the hands of the applicant.

3. In the circumstances, before taking a motion for sue-motu contempt, a chance to explain above fact is given to the applicant as a precaution. Hence,

the applicant may file affidavit of explanation in that regard on or before 12.6.2018 and then & then only further steps either of initiating contempt or issuing notices to the respondents in the present matter would be taken.

4. S.O. to 12.6.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-5-2018

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

**C.P. 15/2014 IN O.A. 1128/1999
(Revannath R. Landge 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 : 4.5.2018

ORAL ORDER :

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

2. In response to the order dtd. 20.2.2018 the learned P.O. files on record short affidavit as directed by the said order. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. In the circumstances, S.O. to 13.6.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-5-2018

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

**C.P. 46/2018 IN O.A. 207/2015
(Balika D. Tawshikar 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 : 4.5.2018

ORAL ORDER :

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

2. Learned P.O. submits that the Review Petition bearing st. no. 639/2018 along with misc. application bearing st. no. 638/2018 for condonation of delay have been filed by the respondents.

3. In the circumstances, present C.P. be placed along with M.A. st. 639/2018 on 14.6.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-5-2018

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

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.5.2018

ORAL ORDER :

Heard Shri Sandeep D. Munde, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these matters.

2. At the request of learned C.P.O. S.O. to 12.6.2018 for filing affidavit in replies in all these matters.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-5-2018

**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 : 4.5.2018

ORAL ORDER :

Heard Shri P.G. Tambde, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned C.P.O., S.O. to 12.6.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-5-2018

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

**ORIGINAL APPLICATION NO. 193/2018
(Chandrashekhar V. Borde 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 : 4.5.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 20.6.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-5-2018

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

**ORIGINAL APPLICATION NO. 197/2018
(Sanjot V. Rathod 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 : 4.5.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 20.6.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 4-5-2018

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

**O.A. NO. 170/2018 WITH M.A. 124/2018 WITH M.A. ST. 667/2018
(Manojkumar B. Dhokchaule & 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 : 4.5.2018

ORAL ORDER :

Heard Smt. Suchita Dhongde – Upadhyay with Shri Suresh D. Dhongde, learned Advocates for the applicants and Shri Ajay Deshpande, learned special Counsel for the respondents.

2. Learned Advocates, on instructions from the applicants, submit that the applicants may be allowed to withdraw the present O.A. and M.A. st. no. 667/2018 filed for addition of party.

3. In the circumstances, O.A. & M.A. for additional of party are disposed of as withdrawn without any order as to costs. The interim relief granted earlier stands vacated.

4. In view of withdrawal of O.A. and vacation of interim relief as above, nothing survives in the M.A. no. 124/2018 which has been filed by the respondents for vacation of interim relief. In the circumstances the said M.A. is also 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. 290/2018
(Jagdish Rambhau Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 4.5.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 13.6.2018.

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

8. Without filing any detailed affidavit in reply, the res. no. 3 – the Sub Divisional Officer, Kalamb, Dist. Osmanabad – is hereby directed to file short affidavit explaining as to why the reservation was required to be changed from NT-A category to Special Backward Class category as regard the post of Police Patill of village Shiradhon, Tq. Kalamb, Dist. Osmanabad. The said short affidavit shall be filed on the returnable date positively failing which the issue of grant of interim relief for unnecessary causing obstruction in the selection process would be required to be considered.

9. S.O. to 13.06.2018.

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

VICE CHAIRMAN