

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

**O.A. NO. 490/2017
(Ganesh Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Shri S.N. Lute, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. The learned P.O. has filed on record 2 separate affidavits in replies of res. nos. 2 & 3 and res. no. 4. Both the replies are taken on record and copies thereof are supplied to the learned Adv. for the applicant.

3. Upon hearing both the sides, it appears that a communication gap between res. nos. 3 and 4 appears to be the cause of delay in sending the verification of the certificate of the applicant that he worked as a part time worker (अंशकालीन कर्मचारी). The res. no. 3 - the Sub Divisional Officer, Vani, Tq. GVani, Dist. Yavatmal, however, has communicated to the res. no. 2 - the Dist. Selection Committee & Collector, Yavatmal - that as the verification was not sent by the res. no. 4 within time and as the period of select list has expired, the applicant cannot be

appointed to the post of Talathi for which he was selected and even the letter of selection was issued vide Exh. B page 10.

4. In this regard the respondent nos. 2 & 3 are directed to go through the provisions of Rule 5 (2) of the M.C.S. (Regulation of Seniority) Rules, 1982. The said sub rule 2 of rule 5 would show that the appointing authority has a discretion to extend the period of joining.

5. The res. nos. 2 & 3 are, therefore, directed to go through the factual situation and take the decision according to Law by exercising their discretion and shall file the report about the same on the next date.

6. S.O. to 4.10.2017 for submitting compliance report by the res. nos. 2 & 3.

6. Steno copy / authenticated copy allowed for the use of both the sides.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**O.A. NO. 513/2017
(Dinkar Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

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

2. Perused the orders of the Tribunal dated 2.8.2017 and 21.8.2017. The learned Adv. for the applicant submits that, if notices are issued to the respondents, all the facts would be clear to find out as to whether the order dtd. 2.8.2017 is required to be recalled or not. The said submissions are reasonable.

3. In the circumstances, issue notices to the respondents in the present O.A., returnable on 26.9.2017.

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

5. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along

with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

7. 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.

8. S.O. to 26.9.2017.

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

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**O.A. NO. 259/2017
(Nanasaheb Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

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

2. It appears that the notices are not served and service proof of the respondents is not filed by the learned Adv. for the applicant from 28.4.2017.

3. In the circumstances, S.O. to 3.10.2017 either for taking proper steps by the learned Adv. for the applicant or for passing appropriate order in the matter.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**O.A. NO. 346/2017
(Balaji & Ors. Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

None appears for the applicants. Shri V.R. Bhumkar, learned Presenting Officer for the Respondents, is present.

2. The learned P.O. has filed affidavit in reply of res. no. 3 in view of the order of the Tribunal dtd. 13.6.2017, though notices are not collected by the applicants in view of the said order dtd. 13.6.2016. It is taken on record. He undertook to serve copy thereof upon the learned Adv. for the applicants.

3. Prima-facie, it would show that the ratio laid down by the Tribunal in the judgment delivered in O.A. No. 378/2016 (Shri Shivaji N. Wagh Vs. the State of Maharashtra & Ors.) and

other O.As. (page 18 of the O.A.) would be applicable in this case.

4. Submissions advanced by the learned P.O. would show that since the selection was to be made in the year 2014, now no corrective steps can be taken.

5. In view of absence of learned Adv. for the applicants, S.O. to 4.10.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**O.A. NO. 361/2017
(Ratnamal Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Shri S.S. Kulkarni, learned Adv. for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned Adv. for the applicant submits that he has served the notices upon the respondents. He is directed to file the service affidavit in the Office.

3. The learned C.P.O. seeks time to take instructions from the respondents. At his request, S.O. to 27.9.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**MA 446/2012 IN CP ST. 1507/2012 IN OA 11/2003
(Pawar A. Landge Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Shri S.D. Dhongde, learned Adv. for the applicant **(leave note)**. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. In view of leave of learned Adv. for the applicant, S.O. to 4.10.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**MA 433/2015 IN OA ST. 318/2015
(Dr. Shivshankar Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Shri Amol Katkar, learned Adv. holding for Shri Amol Gandhi, learned Adv. for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that, filing of writ petition before the Hon'ble High Court by the applicant was the main reason for delay in filing the O.A. before the Tribunal for seeking the relief of nonpayment of N.P.A.

3. In the circumstances, the misc. application is disposed of without any order as to costs and the delay of 1250 days caused in filing the O.A. is condoned.

4. The Office is directed to register the O.A. after due scrutiny.

VICE CHAIRMAN.

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

**OA ST. 318/2015
(Dr. Shivshankar Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Shri Amol Katkar, learned Adv. holding for Shri Amol Gandhi, learned Adv. for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in the present O.A., returnable on 10.10.2017.

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. Respondent 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 10.10.2017.

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

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**MA 360/2016 IN OA ST. 1544/2016
(Ram Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for the respondent no. 1, is present. None appears for respondent no. 2.

2. In view of absence of learned Advocates for the applicant and res. no. 2, S.O. to 29.9.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**MA 231/2017 IN OA 297/2017
(Ramesh Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

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

2. The learned P.O. submits that, she has no instructions from the respondents regarding filing of any short reply to the rejoinder of the applicant. At her request, S.O. to 4.10.2017 for filing short reply to the rejoinder of the applicant, if any.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**MA 323/2017 IN OA 663/2016
(Satish Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Adv. holding for Shri P.G. Rodge, learned Adv. for the applicant in the M.A., Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 to 3 in the M.A. and Miss. Preeti Wankhade, learned Adv. holding for Shri A.S. Deshmukh, learned Adv. for the respondent no. 4 in the present M.A. / applicant in O.A.

2. At the request of learned Adv. for res. no. 4 in the present M.A. / applicant in O.A., S.O. to 8.9.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**MA St. 791/2017 IN OA 326/2012 WITH
MA St. 792/2017 IN O.A. 555/2015
(Madhav & Ors. Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Shri Ganesh Dahate, learned Adv. holding for Shri F.R. Tandale, learned Adv. for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The learned C.P.O. files on record additional reply of res. no. 1 in O.A. no. 326/2012 as per order dtd. 1.7.2017. It is taken on record and copy thereof has been served upon the learned Adv. for the applicants.

3. The learned Adv. for the applicants seeks time to advance his submissions on the point of maintainability of the present M.As. At his request, S.O. to 3.10.2017 for satisfying the Tribunal on the point of maintainability of the M.As.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**O.A. NO. 874/2016
(Shrikant Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Smt. Trupti Mahajan, learned Adv. for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The learned Adv. for the applicant submits that, some steps are required to be taken for joining the necessary parties. At her request, S.O. to 26.9.2017 for taking steps for adding necessary party respondents in the matter.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**O.A. NO. 622/2017
(Sagar Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

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

2. The learned Adv. for the applicant files on record copies of previous orders passed by the Tribunal in O.A. no. 928/2016, M.A. No. 6/2016 in C.P. St. 06/2017 in the said matter. The same are taken on record and copies thereof are supplied to the learned P.O. for the respondents.

3. In the circumstances, issue notices to the respondents in the O.A., returnable on 10.10.2017.

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

5. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is

put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

7. 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.

8. In the meantime interim relief in terms of interim relief prayer clause (a) of the O.A. is hereby granted. The said interim relief prayer clause (a) runs as follows :-

“23. Interim Relief if any prayed for :-

(a) Pending hearing and final disposal of this Original Application, to grant stay to the order dated 28.08.2017 issued by the respondent no. 2 reverting the applicant from the post of Circle Officer to the post of Talathi and promoting the respondent no. 3 vice-versa.”

9. S.O. to 10.10.2017.

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

VICE CHAIRMAN.

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

**OA 600/2014
(Amolsinh Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. It appears that decision on merit by the D.B. is required in the present matter. In the circumstances, this matter is removed from the board, with a direction to the Office to place the same before the D.B., as and when it is available, for final hearing.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**OA 567/2017 WITH MA 39/2017
(Vijay Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Adv. holding for Shri A.S. Deshmukh, learned Adv. for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 & 2 and Shri V.B. Wagh, learned Adv. for respondent no. 3. None appear for other respondents.

2. The learned P.O. has filed additional reply of res. no.2. It is taken on record and copy thereof has been served upon the learned Adv. for the applicant.

3. S.O. to 25.9.2017 for filing reply of other respondents.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**OA 171/2017
(Dipali Vs. The State of Mah.&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 : 06.09.2017.

ORAL ORDER :

Heard Shri M.P. Tripathi, learned Adv. for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned P.O. fairly submits that, he could not find any decision from the Hon'ble Supreme Court contrary to the decision of the D.B. of Hon'ble Bombay High Court, copies of which are filed on record. The learned Adv. for the applicant files on record the copies of another decisions delivered by Hon'ble High Court, in addition to the copies of judgments already submitted in the present matter. The same are taken on record and kept at appropriate paging.

3. In the circumstances, the respondents are directed to take corrective steps and file their

report taken by them in the light of the decisions of Hon'ble High Court on the same issue. In case the respondents come to the conclusion that, corrective steps cannot be taken on the line of the decision of Hon'ble High Court, then short affidavit explaining the reasons therefor be filed on the next date.

4. S.O. to 3.10.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**OA 255/2015
(Rajaram Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri S.P. Telgote, learned Adv. holding for Shri A.R. Devkate, learned Adv. for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The learned Adv. for the applicant seeks time to satisfy the query raised by the Tribunal vide order dtd. 12.7.2017.

3. S.O. to 8.9.2017 to enable the learned Adv. for the applicant to satisfy the query of the Tribunal.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**OA NOS. 802 & 347 BOTH OF 2015
(Raosaheb & Ors. Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri G.R. Jadhav, learned Adv. holding for Shri A.S. Shelke, learned Adv. for the applicants in both the matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in both the matters.

2. The learned P.O. submits that he forgot to take instructions from the respondents on the line of order dtd. 25.7.2017, though on the said date Shri S.P. Jaybhay, Naib Tahsildar, Loha, Dist. Nanded was present in the Court hall.

3. In the circumstances, S.O. to 27.9.2017 for taking action by the learned P.O. on the line of order dtd. 25.7.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

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

**OA 583/2015
(Sambhaji Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Shri R.P. Bhumkar, learned Adv. for the applicant **(leave note)**. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Adv. for the applicant, S.O. to 4.10.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 6.9.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 779/2016
(Shri Md. MunawarGulamDastgir V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

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

2. In view of the leave note filed by the learned Advocate for the applicant, S.O. to 5.10.2017.

MEMBER (J)

KPB ORAL ORDER 06-09-2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 946/2016
(ShriKrushna S. Edke V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

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

2. Today, the learned Presenting Officer has filed additional affidavit in reply, which was sworn in by one ShriShivajiRanojiJondhale, District Collector, Jalna, Dist. Jalna. On going through the said affidavit in reply and it reveals that in the said affidavit, no explanation has been given as regards provisions under which, he has passed the impugned order. The said affidavit is incomplete and therefore, the Collector, Jalna, is directed to file detailed affidavit in reply in view of the direction given by this Tribunal on 31.08.2017.

3. The Deputy Commissioner, Aurangabad has not filed affidavit as directed by this Tribunal

on 31.08.2017. Therefore, he directed to remain present personally and to explain provisions of law under which he approved the order passed by the Collector, Jalna and wherefrom he quoted the provisions of Section 5(3) 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”).

4. S.O. to 7.9.2017.

MEMBER (J)

KPB ORAL ORDER 06-09-2017

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

**M.A. No. 192/2017 in O.A. No. 792/2015
(Dr. Chetan K. Shingane V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant in M.A., Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 8 & 9 and Shri Vishnu Dhoble, learned Advocate for the respondent Nos. 1 to 7 (original applicants) .

2. On perusal of the affidavit in reply filed by the respondent Nos. 8 & 9 in M.A., it reveals that one Shri (Dr.) DattatrayaTukaramKodape, working as Associate Professor (KriyaSharir) in the office of the Dean, Government Ayurvedic College, Osmanabad, Dist. Osmanabad, has filed affidavit in reply. In the Original Application, one Shri Sanjay DattatrayaKamalkar, working as a Deputy Secretary in the office of Medical Education and Drugs Department, Mantralaya, Mumbai has filed affidavit in reply. Shri (Dr.) DattatrayaTukaramKodape, has no personal

knowledge regarding vacancy in the department and therefore, it is expected that the respondent Nos. 7 and 8 ought to have filed affidavit in reply of the responsible officer working in the Medical Education and Drugs Department, Mantrayalaya, Mumbai.

3. Learned Presenting Officer seeks time to file affidavit in reply of the responsible officer. Time granted.

4. S.O. to 27.9.2017.

MEMBER (J)

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 770/2016
(ShriManchakrao P. Paratwah&Ors. V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Smt. JueePalekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.9.2017.

MEMBER (J)

KPB ORAL ORDER 06-09-2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 850/2016
(ShriAnand S. Gavali V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Smt. JueePalekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.9.2017.

MEMBER (J)

KPB ORAL ORDER 06-09-2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 356/2017
(Dr. Shrikrishna R. Wani V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

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

2. Issue fresh notices to the respondents, returnable on 11.10.2017.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O.to 11.10.2017.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 347/2016
(Smt. Vaishali S. Patil V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri P.A. Bharat, learned Advocate holding for Shri U.L. Momale, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

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

MEMBER (J)

KPB ORAL ORDER 06-09-2017

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

**CHAMBER APPEAL NO. 05 OF 2017
(ShriPramod E. Kakde Vs. The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : SHRI JUSTICE M.T. JOSHI,
VICE CHAIRMAN**

DATE : 06.09. 2017.

ORAL ORDER:

Heard Shri K.B. BordePatil – learned
counsel for the applicant.

2. Vide order dated 08.03.2017 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 31.01.2017 the office has raised the following office objections: -

- 1) Page Nos. 30, 36, 45, 47, 48, 57, 65, 66, 71 to 77, 90 to 93 & 103 are not legible.
- 2) Annextures are not mentioned properly in the Index & list of documents.

3. The learned Advocate for the applicant appeared on 01.09.2017 and has removed the office objection No. 2. He submits that he does not press office objection No. 1.

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

CHAMBER APPEAL NO. 05 OF 2017

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 challenging the appointment order issued by respondent No. 2 for the post of Police Patil in favour of respondent No. 3 and further praying direction to the respondents to declare the applicant as eligible candidate and issue appointment order in his favour for the post of Police Patil of village Khopeshwer Post SidhhnathWadgoan, Tq. Gangapur, Dist. Aurangabad 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. 05/2017 is allowed as the learned Advocate for the applicant is not relying on the objection No. 1 and so far as objection No. 2 is concerned, he has removed the same.

:: - 3 - ::

CHAMBER APPEAL NO. 05 OF 2017

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

VICE CHAIRMAN

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO.573 OF 2015
(ShriAjinath K. KharatVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Ms. AshleshaRaut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. At the request of learned Chief Presenting Officer, S.O. to 22nd September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO.328 OF 2017
(Smt. Megha S. ShevganVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri D.P. Sathe, learned Advocate holding for ShriK.M. Nagarkar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the Respondent Nos. 1 to 3. Shri S.R. Dheple – learned Advocate for respondent No. 4 (**absent**).

2. At the request of learned Advocate for the applicant, S.O. to 28th September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**M.A.NO. 163/2017 IN O.A.ST.NO.487/2017
(ShriRevaji D. SonawaneVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for ShriV.B. Wagh, learned Advocate for the applicant and ShriS.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant prays for time to file service affidavit. Time granted.

3. S.O. to 5th October, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO.884 OF 2016
(ShriLahu V. GajdhaneVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. At the request of learned Presenting Officer, S.O. to 8th September, 2017 to enable her to deposit the payment of costs.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 784 OF 2016
(ShriShaikhMehboobYakubsabVs.The State of
Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri G.N. Kulkarni, learned Advocate for the applicant and ShriS.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted as a last most chance.

3. S.O. to 21st September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 184 OF 2017
(ShriNadimYunusShaikhVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard ShriShamsundar B. Patil, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and ShriS.K. Shirse, learned Presenting Officer for the Respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29th September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 311 OF 2017
(ShriRaju H. AdheVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard ShriKakasaheb B. Jadhav, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. At the request of learned Advocate for the applicant, S.O. to 26th September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 237 OF 2017
(ShriMukund S. KachareVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. At the request of learned Presenting Officer, S.O. to 12th October, 2017 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 238 OF 2017
(ShriPramod D. SangaveVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. At the request of learned Presenting Officer, S.O. to 12th October, 2017 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 420 OF 2017
(Dr. Sandip N. DawandeVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the Respondent Nos. 1 & 2. Shri Rakesh N. Jain – learned Advocate for respondent Nos. 3 & 4 (**absent**).

2. Learned Advocate for the applicant has submitted that the respondents have issued an order dated 28th August, 2017 and posted the applicant at Shendurjanaghat, Tq. Warud, Dist. Amravati on vacant post. The copy of the said order dated 28th August, 2017 has been taken on record and marked as document 'X' for the purposes of identification.

3. He has submitted that since the request of the applicant has been considered, the applicant does not want to proceed with the present Original Application and same may be disposed of.

4. In view of the aforesaid submissions made by the learned Advocate for the applicant, the present Original Application stands disposed of with no order as to costs.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 694 OF 2016
(Shri Sanjay K. GaikwadVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri S.R. Sapkal, learned Advocate for the applicant and Smt. SanjivaniDeshmukh-Ghate, learned Presenting Officer for the Respondents.

2. The applicant is challenging his order of deputation to Dhule from Ahmednagar. Neither the applicant nor the respondents have made submissions, as regards under which provisions the deputation of the applicant has been made. Hence, both are directed to make submissions on the point of deputation of the applicant, on the next date.

3. S.O. to 13th September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 621 OF 2017
(Smt. Shivananda B. DaradeVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri V.B. Wagh, 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 5th October, 2017.

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

O.A. NO. 621 OF 2017

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. The respondents are directed to file affidavit in reply within a period of four weeks.

8. S.O. to 5th October, 2017.

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

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 625 OF 2017
(ShriJitendra B. JaiswalVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard ShriSudhir K. Chavan, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate ShriKakasahebJadhav appeared today before this Tribunal and submits that he is appearing on behalf of Caveator. He has further submitted that the copy of the original application has not been served on him.

3. Learned Advocate for the applicant submits that he will serve the copy of the original application forthwith.

4. Issue notices to the respondents, returnable on 6th October, 2017.

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

6. Applicant is authorized and directed to

O.A. NO. 625 OF 2017

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.

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

8. The service may be done by Hand delivery, speed post, courier and 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.

9. The respondents are directed to file affidavit in reply within a period of four weeks.

10. S.O. to 6th October, 2017.

11. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 902 OF 2016
(ShriSandip V. JadhavVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard ShriSandesh R. Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant prays for time for filing rejoinder affidavit. Time granted.

3. S.O. to 10th October, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 46 OF 2017
(Dr. P. A. Mhaske & 44 Ors Vs. The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri Shamsundar B. Patil, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. The learned Presenting Officer prays for time for filing affidavit in reply on the ground that nobody from the office of respondent No. 1 is approaching in spite of today's date communicated to them.

3. It transpires from the record that already ample opportunities have been granted to the respondents to file affidavit in reply, but the respondents failed to file affidavit in reply.

4. In these circumstances, time is granted to the respondents as a most last chance, subject to payment of costs of Rs. 10,000/-. The costs shall be deposited in the Registry of this Tribunal by Government Cheque.

5. S.O. to 9th October, 2017.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 160 OF 2017
(ShriShamsundar B. TapaseVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant **has filed leave note**. Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the Respondent No. 1 and ShriShamsundar B. Patil, learned Advocate for respondent Nos. 2 to 5, were present.

2. Learned Advocate for respondent Nos. 2 to 5 has filed affidavit in reply on their behalf and the same is taken on record and the copy thereof has been served on the learned Presenting Officer for respondent No. 1.

3. Learned Presenting Officer prays for time to file affidavit in reply on behalf of respondent No. 1. Time granted as a last chance.

4. S.O. to 5th October, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 197 OF 2017
(ShriShakuntala N. RevankarVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri S.A. Wakure, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. At the request of learned Advocate for the applicant, S.O. to 18th September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 304 OF 2017
(ShriArun R. NaikVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Ms. AshwiniSahastrabudhe, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Chief Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 19th September, 2017. Interim relief granted earlier to continue till then.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 347 OF 2017
(Shri Sanjay S. GaikwadVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard ShriVivekPingle, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 3rd October, 2017. Interim relief granted earlier to continue till then.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 348 OF 2017
(Dr. Prashant R. GhodkepatilVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri V.P. Golewar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for Respondent Nos. 1 to 4 and Shri S.R. Dheple – learned Advocate for respondent No. 5.

2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted as a last chance.

3. Learned Advocate for respondent No. 5 submits that he does not want to file affidavit in reply on his behalf.

4. S.O. to 28th September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 377 OF 2017
(Shri Baburao P. Pawar & Ors. Vs. The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer has filed common affidavit in reply on behalf of respondent Nos. 2 & 3 as well as common affidavit in reply on behalf of respondent Nos. 5 & 6 and they are taken on record and the copies thereof have been served on the learned Advocate for the applicant.

3. At the request of learned Presenting Officer for the respondents, S.O. to 29th September, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 415 OF 2017
(ShriBabasaheb E. JakateVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri V.M. Maney, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Chief Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 3rd October, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 556 OF 2017
(ShriRajendra V. MaraleVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Smt. JuiPalekar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Chief Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 4th October, 2017.

MEMBER (J)

ORAL ORDERS 06.09.2017-HDD

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

**M.A.NO. 69/2017 IN O.A.ST.NO. 223/2017
(ShriBhaskar S. PatilVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 & 2 and Smt. S.D. Shelke, learned Advocate holding for Shri D.R. Shelke – learned Advocate for respondent Nos. 3 & 4.

2. This is an application filed by the applicant for condonation of delay of about 5 years, 6 months and 12 days caused in filing accompanying Original Application.

3. It is contention of the applicant that other similarly situated employees viz. ShriPramodRamdasKachare&ShriBaliramBhaskarPatil have filed O.A. before this Tribunal. This Tribunal has allowed the said O.A. and extended the benefits of deemed date from passing of the professional examination on 08.06.2015. It is contention of the applicant that he has filed representation dated 01.12.2007 before the respondents praying to extend the benefit of deemed date of promotion.

**M.A.NO. 69/2017 IN
O.A.ST.NO. 223/2017**

He has submitted that other two similarly situated employees have filed M.A. in this Tribunal and their MAs were allowed by this Tribunal and, therefore, the respondents granted deemed date of promotion to them. He has submitted that his representation is not considered by the respondents till today though he made another representation thereafter also. He has submitted that the applicant is waiting for the decision on his representation and, therefore, there was delay in filing the accompanying O.A. It is his contention that this Tribunal has passed orders in other matters of similarly situated persons in O.A. Nos. 233, 234, 235 and 236 all of 2012 and O.A. No. 181 of 2011. He has submitted that cause for filing O.A. is continuous cause of action and in the interest of justice the M.A. deserves to be allowed and delay deserves to be condoned.

4. The respondents have filed their affidavit in reply and resisted the application on the ground that there is inordinate delay and there is no just reason to condone the delay.

5. Learned Advocate for the applicant has submitted that already this Tribunal has decided the matters of similarly situated persons and granted the deemed date of

promotion to them. He has submitted that the applicant has filed representation dated 01.02.2007 along with ShriPramodRamdasKachare&ShriBaliramBhaskarPatil, but his representation has not been decided by the respondents though benefits of deemed date has been given to ShriPramodRamdasKachare&ShriBaliramBhaskarPatil as they approached this Tribunal and got decision in their favour. He has submitted that the cause of action is continuing cause of action and, therefore, it is just to condone the delay. He has placed reliance on the judgment delivered by the Hon'ble Supreme Court in the case of K.C. SHARMA VS. UNION OF INDIA reported in 1997 (6) SCC 721, wherein the delay has been condoned on the ground that the similar issue was already decided by the Tribunal.

6. Learned Presenting Officer has submitted that delay is not explained properly by the applicant and there is no just reason to condone the delay and, therefore, he prayed to reject the application.

7. On going through the documents placed on record, it reveals that already the grievance of the similarly situated persons have been considered by this Tribunal in different O.As.

**M.A.NO. 69/2017 IN
O.A.ST.NO. 223/2017**

and the relief was granted to them. The applicant is pursuing his cause by filing the representations with the respondents since the year 2007. The respondents have not taken any decision on his representations and same are still pending with them.

8. In these circumstances, in my opinion, it is a fit case to condone the delay to consider his grievance and to decide the O.A. on merit. Therefore, the M.A. deserves to be allowed.

9. In view thereof, the M.A. No. 69/2017 is allowed. The delay of about 5 years 6 months and 12 days caused for filing accompanying O.A. is hereby condoned. The Original Application be registered and numbered after removal of office objection/s, if any.

10. Accordingly, the present M.A. No. 69/2017 stands disposed of with no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION ST. NO. 223 OF 2017
(ShriBhaskar S. PatilVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 & 2 and Smt. S.D. Shelke, learned Advocate holding for Shri D.R. Shelke – learned Advocate for respondent Nos. 3 & 4.

2. Issue notices to the respondents, returnable on 11th October, 2017.

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

O.A. ST. NO. 223 OF 2017

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. The respondents shall file affidavit in reply on or before the next date.

8. S.O. to 11th October, 2017.

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

MEMBER (J)

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

C. P. NO. 2/2016 IN O. A. NO.344/2014.

(The Association of Tech. Assistant, through its President,
Shri T D. Patil Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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TRIBUNAL'S ORDERS

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

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri V. B. Wagh, learned Advocate
for the applicant, Shri D. A. Karnik learned
Advocate holding for ShriVivekDhage, learned
Presenting Officer for the Respondent no.1 and
Shri N. U. Yadav, learned Presenting Officer for
the Respondent No.2.

2. The learned Advocate for the applicant
seeks time till 30.10.2017. At his request, S.O.
to 30.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

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

**ORIGINAL APPLICATION NO.462/2017.
(Smt. Meera TukaramMusane& 6 others
Vs. The State of Maharashtra & 6 others)**

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OFFICE ORDER

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TRIBUNAL'S ORDERS

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

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

DATE : 06.09.2017.

ORAL ORDER :

Heard with consent Shri R. J. Nirmal, learned Advocate for the applicants and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. The learned Advocate for the applicants submits that, the applicants would be satisfied if directions are issued to the Respondents to decide the representation dated 03.04.2017 in terms of prayer clause "C", which reads as under:-

"C. By deciding the representation dated 03.04.2017, it may be directed to the respondent authorities to consider claim of applicants to appoint the applicants to their respective posts."

3. The submissions appears to be reasonable one.

4. The learned Presenting Officer submits that, though she has communicated the Respondents the order dated 10.08.2017 seeking instructions regarding the present status of the decision on the representation no communication is received.

5. In the circumstances, the present O.A. is disposed of without any order as to costs with a direction to the Respondents to decide the representation dated 03.04.2017 (Annexure A-5, page 36) within a period of four months from the date of this order.

VICE CHAIRMAN.

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

**O. A. NO.620/2017.
(Shri A. U. Jadhav Vs. The State of Mah. &Ors.)**

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

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

2. Issue notices to the Respondents, returnable on 9th October, 2017.

3. Instead of filing the full-fledged reply the Respondentno.2 is directed to go through the contents of the present application and to file a short affidavit explaining the fact as to how the Respondents no.3 to 9 came to be selected from Open category, despite the alleged fact that, they sought their selection from the reserved category, upon payment of necessary examination fee in that regard.

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

-2- O.A. No.620/2017.

would be taken up for final disposal at the stage
of admission hearing.

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

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

7. S.O.to 09.10.2017.

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

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

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

**O. A. Nos.86,88,89,90,92,93,148,149,150 all of
2016 with OA No.226 of 2015.**

(Shri B. N. Ghule & 9 others Vs. The State of Mah. & 3 Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

Heard Shri A. D. Gadekar, learned Advocate for the applicants in all the matters, S/Shri I. S. Thorat, N. U. Yadav, S. K. Shirse, V. R. Bhumkar, D. R. Patil and Smt. D. S. Deshpande, learned Presenting Officer for the Respondents no.1 to 3 in respective matters, Shri Sham Patil, learned Advocate for the Respondents no.2 to 4 in respective O.As. and Shri G. N. Patil learned Advocate for the Respondent no.4 in OA No.226 of 2015.

2. The learned Advocate for the applicants in O.A.No. 89/2016 & O.A.No.93/2016 submits that, during the pendency of the present

applications the applicants herein have expired and therefore, certain steps would be required.

//2//

3. In rest of the Original Applications the learned Advocate for the applicants submits that, the issue is already decided by the Hon'ble High Court and he will have to file the copy of the order. At his request for taking steps as well as for filing the copy of the order of the Hon'ble High Court, S.O. to 03.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017

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

**O. A. NO.733/2016.
(Shri V. L. Badhe Vs. The State of Mah. &Ors.)**

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

None present for the applicant. Heard Shri N. U. Yadav, learned Presenting Officer for the Respondents.

2. The learned P.O. points that, since the applicant had earlier served with C.R.P.F. and not with the Military he cannot be termed as 'Ex-Serviceman'.

3. Further, as he has resigned the services under the C.R.P.F. and thereafter joined present service, on that count also his earlier services cannot be counted as qualifying services adding to the present period of services with the Respondents for the purpose of pension.

4. In view of the absence of the learned Advocate for the applicant, S.O. to 25.09.2017 for making submissions by the learned Advocate for the applicant.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

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

**O. A. Nos.825, 864, 865, 866 & 867 all of 2016.
(Shri P. A. Gaikwad & 4 Others Vs. The State of
Maharashtra & 3 Others)**

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OFFICE ORDER

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TRIBUNAL'S ORDERS

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

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Shri V. B. JogdandPatil, learned Advocate for the applicants in all the matters and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents no.1 to 4 in all the matters. None present for the Respondent no.5 in OA Nos.865, 866 & 867 of 2016.

2. The learned Advocate for the applicants clarified that, only in OA No.865 of 2016 the departmental appeal is pending. According to him the same is already heard and the decision is expected.

3. The learned P.O. submits that, during the course of the day reply would be filed. Copy be served to other side.

4. S. O. to 25.09.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

FARAD CONTINUATION SHEET

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

O. A. NO.831/2016.

(ShriPathanHareskhan Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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TRIBUNAL'S ORDERS

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

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

DATE : 06.09.2017.

ORAL ORDER :

Heard Miss AshleshaRaut learned Advocate holding for Shri S B. Talekar, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for the Respondents.

2. Upon hearing both sides it appears that, submissions on the Law of Precedent to find out the effect of the decision of the Full Bench of the Hon'ble Bombay High Court as is rendered in *RajendraPandurangPagare and another Vs. State of Maharashtra and others, 2009 (4), Mh.L.J., 961* (page No.54) is required to be amplified by both the sides. In the circumstances, S.O. to 14.09.2017 for submissions on the above line.

VICE CHAIRMAN.

FARAD CONTINUATION SHEET

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

O. A. NO.207/2017.

(Shri P. A. Kathar Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

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

2. Upon perusal of the documents it can be seen that, the applicant is seeking relief of Assured Career Progressive Scheme (Time bound promotion). The issue pertains to the subject matter of the Single Bench. Office therefore, to take note and make suitable official correction in placing the matter.

3. The learned P.O. submits that, during the course of the day reply would be filed. Copy be served to other side.

4. S. O. to 25.09.2017 for hearing on admission by the Single Bench.

VICE CHAIRMAN.

FARAD CONTINUATION SHEET

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

O. A. NO. 139/2017.

(ShriShaikhLiyakat Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

Heard Shri V. P. Golewar, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. The learned P.O. seeks time to file affidavit in reply. At his request, S.O. to 14.09.2017 for filing affidavit in reply, as a last chance.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

FARAD CONTINUATION SHEET

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

O. A. NO.64/2017.

(Dr. ShehalNagre Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

None present for the applicant. Heard Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents no.1 to 4. None appears for the Respondent no.5.

2. The record would show that, earlier on many occasion the Advocates holding for Shri J. G. Toshniwal learned Advocate for the applicant sought time. Today, nobody is present. In the circumstances, S.O. to 26.09.2017 either for hearing or for passing necessary orders in default.

VICE CHAIRMAN.

FARAD CONTINUATION SHEET

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

O. A. NO.797/2016.

(Shri G. A. Chavan Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

Heard Shri C. V. Thombre, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents.

2. The learned Advocate for the applicant files affidavit in rejoinder. The same is accepted. Its copy is served on the other side.

3. S.O. to 27.09.2017 for hearing on admission.

VICE CHAIRMAN.

FARAD CONTINUATION SHEET

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

O. A. NO. 50/2017.

**(Shri B. D. Bhendekar Vs. The State of Mah.
&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 : 06.09.2017.

ORAL ORDER :

Heard Miss Preeti R. Wankhade, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. The learned P.O. files on record the additional affidavit in reply on behalf of Respondent no.2. The same is accepted. Its copy is served on the other side. She further submits that, the cost would be deposited during the course of the day.

3. S.O. to 03.10.2017 for hearing on admission.

4. Interim relief granted earlier to continue till then.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

FARAD CONTINUATION SHEET

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

O. A. NO.555/2014.

(ShriSudhir A. Sathe Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

Heard Shri J. B. Choudhary, learned Advocate for the applicant and Shr N. U. Yadav, learned Presenting Officer for the Respondents.

2. Upon hearing both sides, decision on merit would be required. Hence remove from the Board. Place the matter before the Division Bench as and when it would be available.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

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

**O. A. NO.412/2017.
(Shri P. R. Shelke Vs. The State of Mah. &Ors.)**

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

None present for the applicant. Heard Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. files affidavit in reply on behalf of Respondents. The same is accepted. Copy be served on the other side.

3. S.O. to 04.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

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

O. A. NO. 920/2016.

(Smt. Sunita M. Gabale Vs. The State of Mah. &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 : 06.09.2017.

ORAL ORDER :

Heard Shri S. P. Dhoble, learned Advocate holding for Shri A. V. Patil (Indrale), learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. Since the applicant relies on the decision of Hon'ble the Supreme Court of India as can be seen from Annexure 'C' (page no.32) the decision on merit would be required. In the circumstances, learned P.O. seeks time to file affidavit in reply. At his request, S.O. to 04.10.2017 for filing reply.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

FARAD CONTINUATION SHEET

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

O. A. NO.750/2016.

(Shri J. S. Maher Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

Heard Miss AshleshaRaut learned Advocate holding for Shri S. B. Talekar, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for the Respondent no.1 and Shri Sham Patil, learned Advocate for Respondents no.2 & 3. Shri S. T. Shelke, learned Advocate for the Respondent no.4 (Absent). None appears for the Respondent no. 5 though duly served.

2. Miss AshleshaRaut learned Advocate holding for Shri S. B. Talekar, learned Advocate for the applicant seeks time to file affidavit in rejoinder. At her request, S.O. to 25.09.2017 for filing rejoinder.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

FARAD CONTINUATION SHEET

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

O. A. NO.843/2016.

(Shri S. G. Wagatkar Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

1. It is reported that, Shri S. D. Dhongde, learned Advocate for the applicant has filed leave note. Shri S. K. Shirse, learned Presenting Officer for the Respondents is present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 28.09.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.

FARAD CONTINUATION SHEET

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

O. A. NO. 45/2017.

(SmtSunita R. Thite Vs. The State of Mah. &Ors.)

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OFFICE ORDER

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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 : 06.09.2017.

ORAL ORDER :

Heard Shri S. B. Mene learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. Shri S. B. Mene learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant seeks time to file rejoinder. At his request, S.O. to 4.10.2017 for filing rejoinder.

VICE CHAIRMAN.

ATP ORAL ORDERS 06.09.2017.