

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

**ORIGINAL APPLICATION NO.779/2016**  
**(Md. Munawar Gulam V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Shri Amit Dhongde learned Advocate holding for Shri S.D.Dhongde learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 19-07-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.343/2018**  
**(Jayant Khadake V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

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

2. Copy of communication dated 21-04-2018 i.e. application for voluntary retirement is filed by the applicant. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant has submitted that the applicant is suffering from DM with IHD with HT with Chronic Renal Failure since March, 2018. He has submitted that in view of the guidelines given in G.R. dated 9<sup>th</sup> April, 2018 competent transferring authority has to consider ailment of the employee and to post him at the place/post of his convenience in view of the ailment. The applicant has submitted all the documents before the competent authority before recommendation of the transfer but the

respondents have not considered said aspect and transferred him from Jalgaon to Dhule. He has further submitted that because of the ailment the applicant has given notice of voluntary retirement to the respondents on 21-04-2018. He has submitted that presently the applicant is on medical leave. He has therefore submitted that in these circumstances it is just to retain the applicant at Jalgaon and to stay the execution and operation of the impugned order. He has further submitted that nobody has been posted in place of the applicant and the applicant has not been relieved till today.

4. Learned CPO has submitted that the applicant is on medical leave, and therefore, he has not been relieved. He has submitted that he is not having detailed instructions from the respondents. Therefore, he sought time to file detailed reply by taking instructions of the respondents. Therefore, he sought time for the same.

5. On perusal of record, it reveals that the applicant is suffering from DM with IHD with HT with Chronic Renal Failure and severe chest pain. He is suffering from the said disease from March, 2018. He is due for transfer but he has made request to the respondents to retain him at Jalgaon and he has submitted required documents as per guidelines give in the G.R. dated 09-04-2018 but his request has not been considered by the respondents for the reasons best known to the respondents.

6. Applicant was recently hospitalized on 25-05-2018. Prima facie, documents on record show that Civil Surgeon has advised him to reside in the nearby area of the hospital. Not only this but because of the ailments he has issued notice of voluntary retirement on 21-04-2018. Said application is also under consideration. In these circumstances, it is just and proper to stay execution of the impugned order till filing of reply by the respondents.

Hence, impugned order is stayed till filing of the reply of the respondents.

7. Issue notice to the respondents, returnable on 19-07-2018.

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

9. 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.

10. 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.

11. 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.

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

13. S.O.to 19-07-2018.

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

**MEMBER (J)**

YUK ORAL ORDER 08-06-2018 F

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

**ORIGINAL APPLICATION NO.352/2018**  
**(Dr. Prashant Pokharkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Shri C.K.Shinde learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. 12-06-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.353/2018**  
**(Dr. Shashikant Dhumbare V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Shri C.K.Shinde learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. 12-06-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**



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

**ORIGINAL APPLICATION NO.373/2018**  
**(Asaram Londhe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 20-07-2018.

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. S.O.to 20-07-2018.

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

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

**ORIGINAL APPLICATION ST. NO.595/2018**  
**(Prakash Wanje V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Smt. Jayshri P. Reddy 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 22-06-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

**M.A.ST.NO.706/2018(A) IN O.A.NO.143/2018**  
**(Sopan Shelke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 20-06-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.849/2016**  
**(Ratnakar Kharat V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 23-07-2018 as a last chance.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

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

2. Learned P.O. has adopted notification dated 28-09-2010 issued by the Industry, Energy and Labour Department and decided to grant wages to the applicants in view of the notification dated 28-09-2010, which is taken on record.

3. Learned P.O. as well as learned Advocate for the applicants have produced copy of the decision of the Hon'ble High Court in Writ Petition No.1497/2018, which are taken on record.

4. Learned Advocate for the applicants has submitted that since the respondents have agreed to pay the wages to the applicant as per the notification dated 28-09-2010 in view of the

G.R. dated 7<sup>th</sup> March, 2018, the applicant does not wish to proceed with the O.A. Therefore, O.A. be disposed of accordingly.

5. Hence, as per submission of learned Advocate for the applicants, O.A. stands disposed of with no order as to costs.

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

**ORIGINAL APPLICATION NO.242/2017**  
**(Mohan Chaudhari V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Shri A.D.Sugdare 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 23-07-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**



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

**ORIGINAL APPLICATION NO.387/2017**  
**(Naresh Khardekar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. 22-06-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.529/2017  
(Shashikant Dive V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. 22-06-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.595/2017**  
**(Rajaram Kannewar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. 22-06-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.482/2017**  
**(Mohan Chaudhari V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O.03-07-2018.

YUK ORAL ORDER 08-06-2018 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.502/2017**  
**(Public Prosecutor's Association V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

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

2. At the request of learned Chief Presenting  
Officer, S.O. to 02-07-2018 as a last chance.

**MEMBER (J)**

YUK ORAL ORDER 08-06-2018 F

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

**ORIGINAL APPLICATION NO.23/2017  
(Bandu Chavan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Heard Shri K.G.Salunke learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. On perusal of record, it reveals that the applicant has retired on 30-06-2012 but his pension has not been sanctioned by the respondents on one or the other ground. No provisional pension was sanctioned to him. Lastly regular pension was sanctioned to him on 23-03-2016. The applicant is claiming interest on the delayed payment of pension amount and gratuity @ 18% per annum. The applicant has submitted 2 charts. In one of them, he has claimed interest @ 18% and in another chart he has claimed interest @ 12% per annum.

3. On perusal of record, it reveals that there was delay in payment of pension to the applicant on account of administrative lapses on the part of

the applicant. Provisions of S.129A and 129B of Maharashtra Civil Services (Pension) Rules, 1982 provides that in such cases, concerned administrative department shall consider the case and forward proposal for grant of interest *suo moto*. In the instant case, no such proposal has been forwarded by the respondent no.3 till today. Therefore, respondent no.3 is directed to file affidavit as to whether he is considering the said provisions and forwarding the proposal to grant interest to the applicant in respect of delayed payment of pension and gratuity amount *suo moto*. In case, there is any legal impediment in taking such measures, respondent no.3 is directed to file his personal affidavit on the next date stating the reasons for not extending the benefit of said provisions to the applicant.

4. S.O. 09-07-2018.

**MEMBER (J)**

YUK ORAL ORDER 08-06-2018 F

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

**ORIGINAL APPLICATION NO.234/2017 WITH 235/2017**  
**(Chandrakant Ghule & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B.P.PATIL, MEMBER (J)**

**DATE : 08.06.2018**

**ORAL ORDER :**

Shri Ashutosh S. Kulkarni learned Advocate for the applicants, is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. None appeared for the applicant. Learned P.O. has produced G.R. dated 07-03-2018 by which Home Department, Government of Maharashtra has adopted G.R. dated 28-09-2010 and made applicable to the part time daily wagers working in the department. He has also produced copy of order dated 10-05-2018 issued by the Superintendent of Police, Jalna. Same are taken on record. Since the learned Advocate for the applicant is absent, matter be placed on next date with direction to the applicants to make statement as regards documents produced by the respondents.

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

**MEMBER (J)**

YUK ORAL ORDER 08-06-2018 F



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

**ORIGINAL APPLICATION NO. 926/2017  
(Shri Manoj V. Surose V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent No. 1 and Shri G.N. Patil, learned Advocate for respondent No. 2.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, S.O. to 12.07.2018 for filing sur-rejoinder, if any.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 97/2018  
(Dr. Vijayprakash N. Tambhale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 16.07.2018 for filing affidavit in reply.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

**FARAD CONTINUATION SHEET**

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has submitted that the respondents have regularized the absence period of the applicant and issued cheque towards payment of salary for that period on 09.04.2018, but the applicant is not ready to accept the said cheque. Therefore, he prayed to direct the applicant to collect the said cheque from the office of respondents.

3. Learned Advocate for the applicant has submitted that he is not in a position to accept the cheque and no instruction is received from the applicant in that regard, therefore, he seeks time. Time granted.

4. S.O. to 26.07.2018.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 62/2018  
(Dr. Machhindra M. Shinde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 11.06.2018.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 106/2018  
(Mrs. Manisha D. Kurekar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 4. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

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

4. S.O. to 15.06.2018.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 120/2018  
(Shri Sunil B. Nikalje V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. S.O. to 21.06.2018.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

**FARAD CONTINUATION SHEET**

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

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

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

4. S.O. to 28.06.2018.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 268/2018**  
(Shri Prabhakar K. Joshi & Ors. V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

Heard Shri M.C. Ghode, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 18.07.2018.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018



**FARAD CONTINUATION SHEET**

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

**M.A. 300/2017 in O.A. St. 412/2017 with  
M.A. 301/2017 in O.A. St. 498/2017 with  
M.A. 302/2017 in O.A. St. 592/2017 with  
M.A. 453/2017 with M.A. St. 1555/2017 in O.A. St. 1556/2017  
(Shri Udhav K. Mane & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

Heard Shri S.R. Kedar, learned Advocate holding for Shri V.B. Dhage, learned Advocate for the applicants in all the matters and S/shri I.S. Thorat, S.K. Shirse, Smt. Priya R. Bharaswadkar & Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for respondents in respective matters.

2. At the request of learned Advocate for the applicants, S.O. to 08.08.2018.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 20/2015  
(Shri Shriniwas N. Tandale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 08.06.2018.**

**ORAL ORDER :**

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

2. Today, the learned Presenting Officer has placed on record a copy of communication dated 02.05.2018 and other documents. Same are taken on record and marked as document 'X' for the purposes of identification.

3. At the request of learned Presenting Officer, S.O. to 02.07.2018.

**MEMBER (J)**

KPB ORAL ORDER 08-06-2018

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

**ORIGINAL APPLICATION NO. 149 OF 2018**

[Shri Dhananjay L. Jadhav Vs. State of Maharashtra & 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 : 08.06.2018.**

**ORAL ORDER :**

1. Heard Shri Shamsundar Patil, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the service affidavit is already filed with the office of this Tribunal. In the circumstances, S.O. to 20<sup>th</sup> June, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 08.06.2018-HDD

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

**O.A.NO. 30/2018 WITH M.A.NO. 178/2018**

[Mrs. Rohini S. Deokar Vs. State of Maharashtra & 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 : 08.06.2018.**

**ORAL ORDER :**

1. Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4 and Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for miscellaneous applicants/intervenors.
2. Learned Advocate for the applicant seeks time to file reply to the intervention application. Time granted.
3. S.O. to 19<sup>th</sup> June, 2018 for filing reply to the intervention application and for hearing of the M.A. No. 178/2018.

**VICE CHAIRMAN**

ORAL ORDERS 08.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 20 OF 2018**

[Shri Rameshwar D. Dandge Vs. State of Maharashtra & 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 : 08.06.2018.**

**ORAL ORDER :**

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

2. It appears that the applicant has filed irrelevant recruitment rules, which are regarding recruitment of Assistant Field Officer etc. in Animal Husbandry Department, while he had applied to the post of Statistical Assistant in Fisheries Department.

3. Respondent has filed along with affidavit in reply the rules concerning recruitment of the Statistical Assistant in Fisheries Department. Learned Advocate for the applicant curiously submits that these rules are amended and the respondent shall file the amended portion of the rules. This is against the settled principle.

4. Apparently, upon perusal of the recruitment rules produced by the respondent, it appears that the present application deserves to be dismissed, as reliance is being placed on the irrelevant rules and the respondent cannot be asked to fortify the claim of the applicant.

5. In the circumstances, the learned Advocate for the applicant is directed to make submissions on the above point.

6. S.O. to 19<sup>th</sup> June, 2018 for making submissions and for passing necessary orders.

**VICE CHAIRMAN**

ORAL ORDERS 08.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 372 OF 2018**

[Shri Shankar J. Khedkar Vs. State of Maharashtra & 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 : 08.06.2018.**

**ORAL ORDER :**

1. Heard Shri Sandeep D. Munde, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant is directed to add party respondents the candidates, who stand at Sr. No. 242 to 244, whose selection is made by the respondent M.P.S.C. The applicant shall add the aforesaid candidates as party respondents during the course of the day.

3. Learned Advocate for the applicant submits that as only name of selected candidates are published by the respondent, M.P.S.C., the applicant is not aware of addresses of these candidates. In the circumstances, M.P.S.C. is directed to place on record the addresses of selected candidates. Upon placing on record addresses of selected candidates by the MPSC, notices be issued to them.

4. Hence, at present issue notices to the respondent Nos. 1 to 3, returnable on 26<sup>th</sup> June, 2018.

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 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. 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.

**10. Learned Advocate for the applicant makes a statement that the respondent, M.P.S.C. has not published the result of all the candidates, but published only the list of the candidates eligible for recommendation. He submits that as per the carbon copy of the answer-sheet the present applicant has secured 120 marks. He has applied**



as "Open Category Candidate" by depositing full fees. However, the respondent M.P.S.C. considering him from NT-D category, had excluded him from consideration for horizontal reservation in Open Sports Category. Eventually, 3 candidates (Sr. Nos. 242 to 244) from Open Sports Category, which had secured less mark than the present applicant, are selected.

11. In the circumstances without making any comment on merit, the respondent M.P.S.C. is directed to publish the result of the present applicant and other similarly situated candidates, if any to find out as to whether the applicant has secured more marks. In case the present applicant and / or of similarly situated candidates have secured more marks than the aforesaid candidates, the respondent M.P.S.C. is directed not to recommend name of these candidates until further orders.

12. S.O. to 26<sup>th</sup> June, 2018.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 590 OF 2013**

[Smt. Kaveri V. Chavan Vs. State of Maharashtra & 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 : 08.06.2018.**

**ORAL ORDER :**

1. Heard Shri I.D. Maniyar, learned Advocate holding for Shri P.G. Gunale, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 5. None appears for respondent Nos. 6 to 8.

2. At the request of learned Advocate for the applicant, S.O. to 9<sup>th</sup> July, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 08.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 237 OF 2013**

[Smt. Kaveri V. Chavan Vs. State of Maharashtra & 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 : 08.06.2018.**

**ORAL ORDER :**

1. Heard Shri I.D. Maniyar, learned Advocate holding for Shri P.G. Gunale, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri Shamsundar Patil, learned Advocate for respondent No. 6. None appears for respondent No. 5.
  
2. At the request of learned Advocate for the applicant, S.O. to 9<sup>th</sup> July, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 08.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 156/2018  
(Dnyanoba B. Panchal V/s. State of Maharashtra & 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 : 08.06.2018**

**ORAL ORDER :**

Heard Shri Shamsundar Patil, learned Advocate holding for Shri D.T. Devane, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 12.7.2018 for filing affidavit in reply.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 8-6-2018

**FARAD CONTINUATION SHEET**

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

**M.A. 168/2018 IN O.A. 50/2017**  
(Balesh D. Bhendekar V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER**

**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 : 08.06.2018**

**ORAL ORDER :**

Heard Miss. Preeti Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Issue notices to the respondents in the present M.A., returnable on 4.7.2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the 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 notices are 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. S.O. to 4.7.2018.

9. The interim relief granted earlier in the O.A. no. 50/2017 to continue till then.

10. Steno copy / Hamdast allowed for the use of both the sides.

**VICE CHAIRMAN**

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

**O.A. 255/2017**

(Pushparaj B. Deshmukh & Ors. V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER**

**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 : 08.06.2018**

**ORAL ORDER :**

Heard Miss. Preeti Wankhade, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Advocate for the applicants submits that she wants to file separate misc. application for amendment in the O.A. At her request, S. O. to 4.7.2018 for filing misc. application for amendment. This matter be kept along with M.A. no. 168/2018 in O.A. 50/2017 on the next date.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 8-6-2018

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

**ORIGINAL APPLICATION NO. 380/2017  
(Dr. Prasad V. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**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 : 08.06.2018**

**ORAL ORDER :**

Heard Shri Vishnu Dhoble, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Advocate for the applicants has filed rejoinder of the applicants. It is taken on record and copy thereof has been served upon the learned P.O. S.O. to 18.6.2018 for hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 8-6-2018



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

**ORIGINAL APPLICATION NO. 792/2015  
(Dr. Prasad V. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**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 : 08.06.2018**

**ORAL ORDER :**

Heard Shri Vishnu Dhoble, learned Advocate for the applicants, Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1 & 2 and Shri A.S. Deshmukh, learned Advocate for respondent nos. 3 to 5.

2. Arguable case is made out. Hence Admit. This O.A. be placed for final hearing on 18.6.2018 along with O.A. no. 380/2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 8-6-2018

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

**ORIGINAL APPLICATION NO. 230/2017  
(Dr. Kole Nagnath Vinayakrao V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**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 : 08.06.2018**

**ORAL ORDER :**

Heard Shri V.B. Narke, learned Advocate holding for Shri (Dr.) Rajendra J. Godbole, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. As Division Bench is not available today, S.O. to 9.7.2018 for final hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 8-6-2018