

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

**C.P.No.80/2018 IN O.A.No.622/2016 & O.A.No.643/2016
(Manik Takalkar & Another V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 10.12.2018

ORAL ORDER :

1. Heard Shri V.V.Gujar learned Advocate holding for Shri R.P.Bhumkar learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.
2. Perused the record. Previously, the Tribunal had passed the following in O.A.No.622/2016 & 643/2016 (paper book page 101):

“(ii) The respondent no.4, i.e., the Director of Accounts and Treasures, Mumbai is directed to take decision on the recommendation letters dated 28/12/2015 and 04/04/2016 within a period of three months from the date of this order and to take further decision to revise applicants’ pension accordingly if covered by the decision of Hon’ble High Court in Writ Petition no.1495/2014 as cited supra. No order as to costs.”

(Quoted from paper book page 101)

3. Respondent no.3, Executive Engineer in response to notice threatening action of contempt replied informing the applicants as follows:

“त्याच प्रमाणे रिट पिटीशन क्र.१४९५/२०१४ मध्ये मा. न्यायाधिकरणाने दिलेला निर्णय हा जिल्हा परिषदेतील कर्मचा—यांबाबत आहे. सार्वजनिक बांधकाम विभागातील कर्मचा—यांचे तसेच जिल्हा परिषदेतील कर्मचा—यांचे सेवाप्रवेश नियम हे स्वतंत्र

आहेत. ही बाब तसेच स्थापत्य अभियांत्रिकी सहायक संवर्ग निमितीचा शासन निर्णय दिनांक ३१/१/१९८९ या विभागाचे सदर पदाचे सेवा प्रवेश नियम दिनांक १८/६/१९९८ व सदर पदाचे परिक्षा नियम दिनांक ८/८/२००१ विचारात घेता रिट याचिका क्र. १४९५/२०१६ मधील निर्णय श्री. टाकळकर व श्री. भारसाखळे यांच्या प्रकरणी लागू होत नाही.”

(Quoted from paper book page 111)

4. Prima facie it evidences that there is a decision passed by the respondents which according to the applicants is erroneous. The cause shown by the applicant may be capable for challenging before the higher forum, however, it would not per-se, be contempt.
5. At this stage, learned Advocate for the applicant prays for time to apply mind. Time is granted till tomorrow.
6. S.O. to 11-12-2018.
7. Steno copy and hamdust is allowed to both the parties.

CHAIRMAN

YUK ORAL ORDER 10-12-2018 AHJ F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.614/2018
(Dr. Minakshi Pathak V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 10.12.2018

ORAL ORDER :

1. Heard Shri V.B.Wagh learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.
2. It is seen that the proposal for grant of Grade Pay is pending before the Respondent no.3. Hence, the respondent no.3 is directed to forward the proposal to higher authority within one week and report the compliance on or before 20-12-2018.
3. S.O. to 20-12-2018.
4. Steno copy and hamdust is allowed to the learned P.O. He shall communicate the same to the concerned respondents.

CHAIRMAN

YUK ORAL ORDER 10-12-2018 AHJ F

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

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

**(The Association of Technical Assistant, Through its President Tukaram Patil
V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 10.12.2018

ORAL ORDER :

1. Heard Shri V.B.Wagh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant has filed a short affidavit. It is taken on record. Copy thereof has been served on the other side.
3. Respondent Contemnor is directed to respond to the short affidavit filed by the applicant on or before 20-12-2018.
4. Steno copy is allowed to the learned P.O.
5. S.O. to 20-12-2018.

CHAIRMAN

YUK ORAL ORDER 10-12-2018 AHJ F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
C.P.NO.62/2018 IN O.A.NO.941/2017
(Dr. Pushpa Salunke (Died through legal heir Dr. Dattatraya Kale
V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 10.12.2018

ORAL ORDER :

1. Heard Shri V.B.Wagh learned Advocate holding for Shri Shamsundar B. Patil learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.
2. Learned P.O. states that the order is complied with by the respondents and he has shown a copy of the same.
3. Learned Advocate for the applicant prays for time to take instructions from the applicant. Time is granted.
4. S.O. to 11-12-2018.

CHAIRMAN

YUK ORAL ORDER 10-12-2018 AHJ F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.524/2012
(Suresh Gangasagare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 10.12.2018

ORAL ORDER :

1. Heard Shri S.D.Joshi learned Advocate holding for Shri Suresh M. Kulkarni learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

Shri H.K.Munde learned Advocate for respondent no.4 is **absent**.

2. At the request of learned Advocate for the applicant, S.O. to 11-12-2018.

CHAIRMAN

YUK ORAL ORDER 10-12-2018 AHJ F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.719/2016
(Pandurang Chandanshiv V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 10.12.2018

ORAL ORDER :

1. Heard Shri L.H.Kawale learned Advocate holding for Shri K.J.Suryavanshi learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for the respondents and Shri V.M.Chate learned Advocate for respondent nos.4 and 5.

2. At the request of learned Advocate for the applicant, S.O. to 11-12-2018.

YUK ORAL ORDER 10-12-2018 AHJ F

CHAIRMAN

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

**C.P.ST.NO.1977/2018 IN O.A.NO.775/2018
(D.D.Jagtap & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 10.12.2018

ORAL ORDER :

1. Heard Shri V.B.Wagh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.
2. Learned Advocate on instructions of the applicant prays for withdrawal of the Contempt Petition with liberty to file Contempt Petition after ensuring that notice issued to Contemnors is duly served.
3. Contempt Petition stands disposed of as withdrawn with liberty to file Contempt Petition afresh if cause of action exists or arises. There shall be no order as to costs.

CHAIRMAN

YUK ORAL ORDER 10-12-2018 AHJ F

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

**C.P.ST.NO.1948/2018 IN O.A.NO.841/2016
(S.S.Waghumbare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 10.12.2018

ORAL ORDER :

1. Heard Shri V.B.Wagh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.
2. Issue notice of show cause to contemnors calling to show cause on 20-12-2018 as to why costs of Rs.20,000/- (twenty thousand only) each should not be saddled against them to be paid personally towards failure to respond to the notice of action by way of contempt issued by the applicant.
3. S.O. to 20-12-2018.
4. Steno copy and hamdust is allowed to the learned CPO.
5. Learned CPO is directed to communicate this order to the contemnors/respondents concerned.

CHAIRMAN

YUK ORAL ORDER 10-12-2018 AHJ F

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

ORIGINAL APPLICATION NO. 578/2016

(Shri Chandrashekhar H. Dongaonkar & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for respondent No. 1 and Shri D.T. Devane, learned Advocate for respondent Nos. 2 to 5.

2. Learned Advocate for the applicant has submitted that the applicant No. 2 Shri S.D. Banginwar died in the month of May 2018 and therefore, she prayed to grant time to file M.A. for brining L.Rs. on record of applicant No. 2.

3. At the request of learned Advocate for the applicant time as prayed for is granted for filing M.A. Hence, the present O.A. is removed from the board and it be kept after filing M.A.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 832/2017
(Shri Ramkrishna K. Mhaske & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.01.2019.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 122/2018
(Shri Ramdas T. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, 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 30.01.2019 for filing rejoinder affidavit.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 381/2018
(Shri Zuberuddin R. Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri O.D.Mane, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.01.2019.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 773/2018
(Shri Shivaji B. Satote V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 30.01.2019 for filing rejoinder affidavit.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 779/2018
(Shri Sk. Javed Sk. Md. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate holding for Shri Amit Dhongde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 29.01.2019.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**M.A. No. 20/2018 in O.A. St. No. 1938/2017
(Shri Madhukar K. Brahmane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri A.M. Nagarkar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, as a last chance, S.O. to 04.02.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**M.A. No. 240/2018 in O.A. St. No. 1055/2018
(Shri Ashok M. Gadekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri A.M. Nagarkar, 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 for the respondents, as a last chance, S.O. to 04.02.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**M.A. No. 439/2018 in O.A. St. No. 1864/2018
(Sau. Sangita S. Patil @ Alka M. Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhayr, 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 10.01.2019 for filing service affidavit of respondent No. 2.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**M.A. No. 470/2018 in O.A. St. No. 1818/2018
(Dr. Vinayak S. Sirsat & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard 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, the present matter is removed from the board.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION ST. NO. 2066 OF 2018
(Shri Suresh K. Bharti V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 03.01.2019.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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

8. S.O. to 03.01.2019.

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

MEMBER (J)

kpb ORAL ORDER 10.12.2018.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent No. 1 Shri G.N. Patil, learned Advocate for respondent No. 2.

2. At the request of learned Presenting Officer for the respondents, S.O. to 01.01.2019.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 142/2018
(Shri Suresh L. Moholkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 18.01.2019.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 367/2018
(Shri Kunal B. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that presently the affidavit in reply of respondent No. 1 is not necessary.

3. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 30.01.2019.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 582/2018
(Shri Rakesh R. Jagtap V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri K.B Jadhav, 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 for the respondents, as a last chance, S.O. to 28.01.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION ST. NO. 1704/2018
(Shri Sd. Saber Sd. Ad. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 30.01.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**M.A. No. 256/2018 in O.A. St. No. 535/2018
(Shri Vinod D. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

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

2. This is an application filed by the applicant for condonation of delay in filing the accompanying O.A.

3. For the reasons mentioned in the M.A., the delay of 1305 days caused in filing the accompanying O.A. is condoned.

3. Accordingly, M.A. No. 256/2018 is allowed and disposed of and delay caused for filing O.A. is hereby condoned. The registry is directed to register the O.A. after due scrutiny. There shall be no order as to costs.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**M.A. No. 409/2018 in O.A. St. No. 1584/2018
(Shri Keshav M. Soundarmal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer for the respondents, S.O. to 18.01.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**M.A. No. 478/2018 in O.A. St. No. 1983/2018
(Shri Suresh D. Khadve & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 17.12.2018.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 921/2016
(Shri Sanjay T. Mali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Office for the respondents, S.O. to 07.01.2019.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 835/2017
(Shri Kailas Adhar Yalis (Patil) V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

Shri C.T. Jadhav, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 21.12.2018.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 831/2018
(Smt. Madhuri D. Thool V/s. State of Maharashtra & Ors.)**

(Speaking to Minutes)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.
2. Today, the learned Advocate for the applicant has filed application for speaking to minutes.
3. It is contention of the applicant that in the order dated 31.10.2018 passed by this Tribunal in O.A. No. 831/2018 in paragraph No. 5, the date of impugned order has been incorrectly mentioned as "25.10.2010" instead of "25.10.2018" and therefore, he prayed to correct the same.
4. On perusal of the record, it reveals that the mistake has been committed while mentioning the date of impugned order in paragraph No. 5 of the order dated 31.10.2018. The said mistake is typographical and inadvertent. Therefore, the date of the impugned order mentioned in paragraph No. 5 of the order dated 31.10.2018 requires to be corrected as "25.10.2018" instead of "25.10.2010".

//2//

O.A. No. 831/2018

5. Hence, the date of impugned order “25.10.2018” be corrected in paragraph No. 5 of the order dated 31.10.2018 instead of “25.10.2010”. The registry is directed to issue corrected certified copy.

MEMBER (J)

kpb ORAL ORDERS 10-12-2018

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

M.A.NO. 288/2018 IN O.A.ST.1063/2018

[Shri Kamlakar K. Phad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. At the request of learned Advocate for the applicant, S.O. to 10.01.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 443 OF 2018

[Shri Jagannath W. Vispute Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Shri M.R. Wagh, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. It appears from the proceedings that since last three dates either learned Advocate for the applicant remained absence or sought time by sending other Advocate. In the circumstances, as a last chance, S.O. to 16.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

O.A.NOS. 267, 280 & 281 ALL OF 2018

[Dr. Shrikant C. Pathak & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant in O.A. No. 267/2018, Shri Shamsunder B. Patil, learned Advocate for the applicants in O.A. Nos. 280 & 281 both of 2018 and S/Shri S.K. Shirse, V.R. Bhumkar and Smt. M.S. Patni, learned Presenting Officers for the respective respondents in respective cases.
2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 in O.A. No. 267/2018 and the same is taken on record and copy thereof has been served on the other side.
3. Upon hearing both the sides, it appears that the interpretation of second proviso of Section 6 of the Maharashtra Government Servants Regulation and Prevention of Delay In Discharge of Official Duties Act, 2005, which runs as under, is at the center of the dispute.

“6. Transferring Authority.

Provided further that, the Competent Transferring Authority specified in the table may, by general or special order, delegate its powers under this section to any of its subordinate authority.”

**O.A.NOS. 267, 280 & 281
ALL OF 2018**

4. In these cases as per Government Resolution dated 19th March, 2018, Annexure 'A-1', Page-16, the ministry of Health of the State of Maharashtra has delegated the powers of transfer of the Medical Officers in Group 'A' cadre to a Committee headed by the Collector in every district subject to certain conditions. In this situation, the issue has arisen as to whether district collector can be termed as a subordinate authority of the ministry of Health Services within the meaning of the proviso quoted above.

5. Learned Presenting Officer seeks time to take further instructions in this regard. At his request, S.O. to 04.01.2019. Since the present OAs are pending since long regarding the issue of transfer last chance is granted to the learned Presenting Officer, failing which the present OAs would be heard on its own merits on that date.

6. At this stage, learned Advocates for the applicants in respective cases submit pointed out that in many of the cases the concerned respondents have even taken corrective steps, however, only in these cases no corrective steps have been taken for the reasons best known to the concerned respondents.

7. Learned Presenting Officer to act on copy steno copy.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 100 OF 2018

[Shri Ramrao T. Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri K.B. Jadhav, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.
2. Since nobody appears for the applicant, S.O. to 15.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

O.A.NOS. 825, 864, 865, 866 & 867 ALL OF 2016

[Shri Prakash A. Kaikwad & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri Vijay B. Jogdant Patil, learned Advocate for the applicants in all these cases and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these cases. Shri Satyajit Bora, learned Advocate for respondent No. 5 in O.A. Nos. 865, 866 & 867 (**absent**).

2. Upon hearing both the sides, it appears that the applicant has no case as the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 and more particularly Appendix- II (page-127) provides that the absorption would be *inter-alia* in equivalent post, if employee is drawing scale of pay equal to or higher than that prescribed for Municipal Auditor / Accountant Grade C. ect. Admittedly, the present applicants were working as a Senior Clerk drawing less salary for the post of Municipal Auditor / Accountant.

3. Learned Advocate for the applicants however, orally submits that some of the employees, who were

**O.A.NOS. 825, 864, 865, 866
& 867 ALL OF 2016**

junior in the cadre of Senior Clerk to the present applicants, were appointed to the post of Accountant / Auditor. He pointed out some of the names at Nos. 4, 37, 56 & 61.

4. In the OAs the applicants merely made a vague statement that some of the juniors to the present applicants were promoted while now during the oral hearing the specific names are details i.e. M.A. Matin, Pawar Tukaram Ramrao, Joshi Tukaram Dinkar & More Dinkar Barebrao, who were appeared at Sr. Nos. 4, 37, 56 & 61 respectively (page Nos. 107 & 108).

5. In the circumstances, liberty to amend the present OAs for making pleadings only in this regard is hereby granted. The necessary amendment be carried out within a period of 2 weeks. Thereupon necessary steps for filing affidavit in reply would be taken.

6. S.O. to 07.01.2019.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 156 OF 2018

[Shri Dnyanoba B. Panchal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri D.T. Devane, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 18.12.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 316 OF 2018

[Dr. Dattatraya B. Gholap & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3. Shri Vivek V. Ingle, learned Advocate for respondent No. 4 (**absent**).

2. At the request of learned Advocate for the applicant, S.O.to 09.01.2019 for filing affidavit in rejoinder. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 513 OF 2018

[Ashwini U. Dalvi Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri Manish P. Tripathi, learned Advocate for the applicant and Mrs., Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that instructions are yet to be received from the respondent No. 2, M.P.S.C., on the line of the order dated 15.10.2018.
3. Learned Advocate for the applicant submits that in the meantime respondent Nos. M.P.S.C. has taken further steps of calling applicant for verification of documents.
4. At the request of learned Presenting Officer, S.O. to 02.01.2019, as a last chance, for taking instructions from respondent No. 2.
5. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 834 OF 2018

[Jamila Nasir Shah Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 23.01.2019 for filing affidavit in reply for all the respondents.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 237 OF 2018

[Shri Rahul P. Bhalerao Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Await affidavit in reply of respondent Nos. 1 & 3.
3. At the request of learned Presenting Officer, S.O. to 08.01.2019 for filing affidavit in reply on behalf of respondent Nos. 1 & 3.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 715 OF 2018

[Dr. Padma D. Parhe Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Shri J.S. Deshmukh, learned Advocate for the applicant has filed leave note. Smt. Sajinvai Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer for the respondents, S.O. to 17.01.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 694 OF 2018

[Shri Somnath S. Reddy Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard V.B. Wagh, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that during the course of the day affidavit in reply on behalf of respondent Nos. 1 & 2 would be filed. It be accepted. However, he seeks time for filing affidavit in reply on behalf of respondent No. 3. Time granted.
3. S.O. to 28.01.2019 for filing affidavit in reply of respondent No. 3.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 72 OF 2018

[Shri Anant J. Hange Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Shri Avinash D. Aghav, learned Advocate for the applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondents, present.
2. It appears from the proceedings that affidavit in rejoinder is not filed on record. In the circumstances, S.O. to 10.01.2019 for filing affidavit in rejoinder, if any.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 851 OF 2018

[Shri Krushnadas A. Palsikar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Shri Pramod A. Kulkarni, learned Advocate for the applicant (**absent**). Mrs., Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri K.S. Solanke, learned Advocate for respondent No. 4, were present.
2. Await service for respondent Nos. 1 to 3.
3. At the request of learned Advocate for respondent No. 4, S.O. to 02.01.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 701 OF 2018

[Dr. Santosh N. Kotule & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Shri S.G. Chapalgaonkar, learned Advocate for the applicants (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 2, present.
2. Await service for respondent Nos. 5, 6, 8 & 21.
3. Since nobody appears for the applicants, S.O. to 02.01.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

**ORIGINAL APPLICATION NO. 619/2018
(Bharti M. Pardeshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

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

2. Learned C.P.O. submits that since there is no response from the Finance Department, the present matter be heard on merit. In the circumstances, instead of taking corrective steps by the concerned respondents, S.O. to 2.1.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 10-12-2018

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

**ORIGINAL APPLICATION NO. 675/2018
(Vilas R. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 2.1.2019 for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

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

**REV. 8/2017 IN O.A. 498/2013
(Shivaji D. Hawanna V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that Hon'ble Shri B.P. Patil, Member (J) is available here and, therefore, office to put the matter before the Hon'ble Chairman for constituting the Division Bench as may be deemed fit and proper.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 178/2018 IN O.A. 30/2018
(Manjusha Eknath Kute (Khade) V/s. Mrs. Rohini Sushilkumar
Deokar & State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant in the present M.A., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 2 to 5 in the present M.A. and Shri V.B. Wagh, learned Advocate for respondent no. 1 in the present M.A. / applicant in O.A.

2. Present Misc. Application has been filed for leave to intervene in O.A. no. 30/2018.

3. It is an admitted fact that the applicant in the present M.A. has already filed M.A. no. 401/2018 & O.A. St. 1724/2018, which are not on today's board. Shri Wagh, learned Advocate for the applicant in O.A. no. 30/2018 submits that the applicant in M.A. No. 178/2018 – Smt. Manjusha Kute (Khade) – is not a necessary party in the O.A. no. 30/2018.

4. In the circumstances, without going into the merit of M.A. no. 178/2018 the same is disposed of without any order as to costs.

5. It is hereby directed that the present O.A. no. 30/2018 filed by the applicant - Smt. Rohini S. Deokar - and M.A. no. 401/2018 along with O.A. st. no. 1724/2018 filed by applicant - Smt. Manjusha E. Kute (Khade) - be placed together on 19.12.2018 for joint hearing as same subject is involved in both the matters.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 226/2017
(Baliram S. Kakade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

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

2. In view of absence of applicant and his learned Advocate, S.O. to 14.1.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 572/2013
(Smt. Vijaya B. Malave V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

None appears for the applicant. Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. On the last date adjournment was sought by the learned Advocate for the applicant. Today, however, in this old matter, none is present from the side of applicant. In the circumstances, S.O. to 16.1.2019 for hearing or for passing necessary order in default.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 555/2014
(Sudhir A. Sathe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant files on record written notes of arguments. Learned P.O. submits that affidavit in reply of the respondents be perused. In the circumstances, the present matter is reserved for orders.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 600/2014
(Shri Amolsinh Pratapsinh Gour V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018

ORAL ORDER :

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

2. Smt. Avhad holding for Shri A.S. Bayas, learned Advocate, on instructions from the applicant, submits that the issue involved in the present matter has become infructuous and, therefore, the present O.A. may be disposed of as such.

3. In the circumstances, the present O.A. is disposed of as it has become infructuous without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

C.P.ST.NO. 2038/2018 IN O.A.NO. 801/2012

[Shri Baliram Bhika Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.
2. During the course of hearing it has transpired that exact failure which constitutes contempt is not spelt from in the notice issued by the Advocate for the applicant.
3. At this stage, learned Advocate for the applicant prays for permission to withdraw present contempt petition with liberty to issue fresh notice and if compliance is not done, to file contempt petition afresh.
4. With liberty as prayed for, the present contempt petition is disposed of with no order as to costs.

CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

M.A.NO. 515/2017 IN O.A.ST.NO. 1881/2017

[Shri Chandidas B. Deshpande Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Applicant has urged that technically the O.A is delayed by 12 years, however, cause of action being recurrent and based on statutory obligation continuously pursued, the delay is satisfactorily explained. Hence, the delay caused in filing of O.A. is condoned. The O.A. be registered and numbered after due scrutiny. Parties are directed to bear own costs.

CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

M.A.NO. 1/2018 IN O.A.ST.NO. 1965/2017

[Shri Chandrashekhar M. Soman Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Applicant has urged that technically the O.A is delayed by 12 years, however, cause of action being recurrent and based on statutory obligation continuously pursued, the delay is satisfactorily explained. Hence, the delay caused in filing of O.A. is condoned. The O.A. be registered and numbered after due scrutiny. Parties are directed to bear own costs.

CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION ST.NO. 1881 OF 2017

[Shri Chandidas B. Deshpande Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.
2. After registration of O.A., issue notice to respondents, returnable on 20.1.2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s 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

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O.A. ST.NO. 1881 OF 2017

obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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

8. S.O. to 20.01.2019.

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

CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION ST.NO. 1965 OF 2017

[Shri Chandrashekhar M. Soman Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.
2. After registration of O.A., issue notice to respondents, returnable on 20.1.2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
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O.A. ST.NO. 1965 OF 2017

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

8. S.O. to 20.01.2019.

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

CHAIRMAN

ORAL ORDERS 10.12.2018-HDD

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

ORIGINAL APPLICATION NO. 678 OF 2017

[Shri Makarand S. Bhalerao Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.12.2018.

ORAL ORDER :

1. Heard Shri R.N. Chavan, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant has filed written notes of arguments in the present case and the same is taken on record.
3. In the circumstances, reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.12.2018-HDD