

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

**ORIGINAL APPLICATION NO. 437 OF 2018
(Shri Vijay M. Suralkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri Ram S. Shinde, 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 18.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 934 OF 2017
(Shri Vaibhav R. Rajput V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, as a last chance, S.O. to 06.02.2019 for filing rejoinder affidavit.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 124 OF 2018
(Shri Aminkhan I. Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri M.L. Muthal, 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 20.02.2019 for filing rejoinder affidavit.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 520 OF 2018
(Shri Sunil S. Wagh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri M.P. Tripathi, 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, as a most last chance, S.O. to 06.02.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

**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.Choudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Smt. Deepali S. Despande, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to file service affidavit of respondent No. 2. Time granted.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent No. 1, 3 to 5. Time granted in M.A.

4. S.O. to 07.02.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 4 and Shri S.D. Joshi, learned Advocate for respondent No. 5.

2. At the request of learned Advocate for the applicant, as a last chance, S.O. to 06.02.2019 for filing rejoinder affidavit.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 586 OF 2018
(Shri Adinath J. Bhosale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3 and Shri Ajay Deshpande, learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the applicant, as a last chance, S.O. to 30.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 986 OF 2018
(Smt. Archana S. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri Vinod P. Patil, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 15.02.2019.

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

//2//

O.A. No. 986/2018

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 15.02.2019.

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

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 17 OF 2019
(Dr. Pramod B. Pandhare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to satisfy this Tribunal on the point of maintainability of the present O.A. Time granted.

3. S.O. to 18.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 20 OF 2019
(Smt. Nita B. Magare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. As none present for the applicant, S.O. to 17.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 21 OF 2019
(Smt. Nandini S. Holkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Shri A.R. Gaikwad, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 17.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 22 OF 2019
(Shri Agatrao S. Veer V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 15.02.2019.

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

//2//

O.A. No. 22/2019

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 15.02.2019.

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

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**M.A. No. 462/2018 in O.A. St. No. 1876/2018
(Shri Saloman B. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Smt. L.A. Zombade, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 25.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 116 OF 2018
(Shri Sanjay M. Deokate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 20.02.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 412 OF 2018
(Shri Prakash U. Ukkalgaonkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents.

3. It transpires from the proceedings that already ample opportunities were given to the respondents for filing affidavit in reply, but no affidavit in reply was filed in time. On previous date i.e. on 30.11.2018, it was forewarned to the respondents to file affidavit in reply on the next date i.e. on today, failing which heavy costs will be imposed on them. In view of this, in the interest of justices, short time is granted to the respondents for filing affidavit in reply subject to payment of costs of Rs. 25,000/- (Rs. Twenty Five Thousand Only). The amount of costs shall be deposited in the registry of this Tribunal.

4. S.O. to 08.02.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 574 OF 2018
(Sau. Seema A. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Shri Gajanan Kadam, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 to 3 Shri Parag Shahane, learned Advocate for respondent No.8. None present for respondent Nos. 4 to 7.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.

3. Learned Advocate for respondent No. 8 seeks time for filing affidavit in reply. Time granted.

4. S.O. to 17.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 759 OF 2018
(Shri Rangnath A. Mete V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Shri B.N. Magar, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2. Same is taken on record. She has submitted that there is no need to file affidavit in reply on behalf of respondent No. 1.

3. S.O. to 20.02.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 877 OF 2018
(Shri Sachin V. Tonde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 & 2.

2. Learned Advocate Shri V.G. Pingle, has filed **VAKALATNAM** on behalf of respondent No. 3. Same is taken on record. He seeks time for filing affidavit in reply on behalf of respondent No. 3.

3. Learned Chief Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 and 2. Time granted.

4. S.O. to 25.02.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

ORIGINAL APPLICATION NO. 972 OF 2018

WITH

CAVEAT ST. NO. 3022 OF 2018

(Smt. Sangita R. Jagtap V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate holding for Shri S.V. Mundhe, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 and 2 and Shri A.S. Deshmukh, learned Advocate for respondent No. 3 (Caveator).

2. At the request of learned Chief Presenting Officer, S.O. to 15.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 895 OF 2018
(Shri Murlidhar E. Sakhare & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent No. 1. None present for respondent Nos. 2 & 3

2. Learned Advocate for the applicant seeks leave of this Tribunal to correct the address of the respondent No. 4, by way of amendment.

3. Leave as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment forthwith.

4. After amendment, issue fresh notice to the respondent No. 4, returnable on 21.02.2019.

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

6. 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.

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 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.

9. 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.

10. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent No. 1. Time granted.

11. S.O. to 21.02.2019.

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

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 896 OF 2018
(Shri Madhukar D. Madarase & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri R.P. Bhumkar, 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, S.O. to 21.02.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 580 OF 2017
(Shri Subhmangal S. Bhakt V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 20.02.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**M.A. No. 270/2018 in O.A. St. No. 1034/2018
(Shri Pandurang B. Nilewar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 12.02.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 557 OF 2018
(Shri Omprakash D. Mane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1, 2 & 4. Same is taken on record and the copy thereof has been served on the other side.

3. On perusal of the affidavit in reply filed by the respondent Nos. 1, 2 & 4, it reveals that in spite of specific directions given by this Tribunal on 11.09.2018, the respondent No. 1 has not decided the representation made by the applicant on 25.11.2017. The respondent No. 1 has not obeyed the directions given by this Tribunal and he flouted the orders of this Tribunal.

4. Learned Presenting Officer for the respondents was called upon to furnish the name of respondent No. 1.

5. Learned Presenting Officer for the respondents has furnished the name of respondent No. 1 as follows:-

“Shri Sanjay Kumar,
Upper Secretary,
Holding charge of Secretary,
Mantralaya, Mumbai.”

6. Issue show cause notice to the respondent No. 1 as to why action should not be taken against him for flouting the orders of this Tribunal.

7. S.O. to 28.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 406 OF 2017
(Shri Rajendra H. Kankutey V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. On instructions, the learned Advocate for the applicant has submitted that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. Therefore, he prayed to grant leave to the applicant to withdraw the O.A.

3. Learned Presenting Officer has prayed to pass necessary orders.

4. Since the applicant does not want to proceed with Original Application, leave as prayed for by the applicant is granted. The Original Application is disposed of as withdrawn with no order as to costs.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 346 OF 2018
(Smt. Vandana B. Koli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Shri S.U. Choudhari, learned Advocate for the applicant (**Absent**).

Heard Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer has placed on record a copy of the order dated 01.11.2018 issued by the respondent No. 2 i.e. the Sub Divisional Officer, Amalner withdrawing the impugned order dated 31.05.2018. Same is taken on record and marked as document- 'X' for the purposes of identification.

3. Since the impugned order has been withdrawn by the respondent No.2 i.e. the Sub Divisional Officer, Amalner, nothing remains in the present O.A. Hence, the O.A. stands disposed of accordingly with no order as to costs.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 523 OF 2018
(Shri Ravindra K. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. Learned Presenting Officer for the respondents seeks time to comply with the order dated 08.01.2019. Time granted.

3. S.O. to 14.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 372 OF 2017
(Shri Gangadharrao M. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that the Departmental Enquiry has been initiated against the applicant before his retirement and it was kept in abeyance, as the Criminal Case in respect of charges levelled against the applicant in the Departmental Enquiry was pending. He has submitted that the respondents want to produce record in that regard and therefore, he sought time.

3. In view of the submissions made by the learned Presenting Officer, time as prayed for is granted.

4. S.O. to 20.02.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri Y.M. Patil, learned Advocate holding for Shri C.T. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. On perusal of the order dated 18.09.2018, it reveals that the G.R. dated 09.03.1999 is material and important in this matter. The said G.R. produced by the applicant, but the said document is not legible one and therefore, the learned Advocate for the applicant, as well as, the learned Presenting Officer are directed to produce legible copy of the G.R. dated 09.03.1999, so that the matter can be decided effectively.

3. At the request and by consent of both the parties, S.O. to 21.02.2019 for production of copy of the G.R. dated 09.03.1999.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NOS. 131, 157 & 218 ALL OF 2016
(Shri Narayan M. Jadhav & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants in all these O.As. and Shri M.P. Gude, learned Presenting Officer for respondents in all these O.As.

2. At the request of learned Advocate for the applicants, S.O. to 25.01.2019.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NOS. 208, 209 & 364 ALL OF 2017
(Shri Marathwada Sarva Shramik Sanghatana & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants in all these O.As. and Shri M.P. Gude, learned Presenting Officer for respondents in all these O.As.

2. Learned Presenting Officer seeks time to take instruction from the concerned respondents on the line of the order dated 11.10.2018.

3. It transpires from the proceedings that, on last date i.e. on 28.11.2018, last chance was granted to the respondents for taking instructions on the line of the order dated 11.10.2018. But no instructions have been received from the respondents. In view of this, in the interest of justice, time is granted for taking instructions from the concerned respondents on the line of the order dated 11.10.2018 subject to payment of costs of Rs. 2000/- (Rs. Two Thousand only) in each matter. The amount of costs shall be deposited in the office of this Tribunal.

4. S.O. to 25.01.2019

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**ORIGINAL APPLICATION NO. 659 OF 2018
(Shri Sanjay B. Bhamre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant has completed his normal tenure of posting of eight years in Nashik Range and therefore, he was due for transfer in the General Transfers of the year 2018, but the respondents had not transferred him. He has submitted that thereafter, the applicant has moved the representation dated 02.08.2018 with the respondents, but the respondents have not decided the same till today. He has submitted that in the affidavit in reply, the respondent No. 2 has contended that the applicant has not completed his normal tenure of posting in Nashik Range at the time of General Transfers of the year 2018. He has submitted that only seven days was short to complete his tenure in Nashik Range at the time of General Transfers of the year 2018. He has further submitted that as on today, the applicant has completed his normal tenure of posting at Nashik Range and he is going to retire on superannuation on 31.05.2020. Therefore, he prayed to direct the respondents to consider the representation dated

02.08.2018 filed by the applicant sympathetically and to decide it within a stipulated time and with this direction, the present O.A. may be disposed of.

3. Learned Presenting Officer has submitted that the applicant had not completed his normal tenure of posting in the Nashik Range at the time of General Transfers of the year 2018 and therefore, he has not been transferred. He has submitted that the case of the applicant will be considered at the time of General Transfers of the year 2019. He has submitted that the respondents will take the appropriate decision on the representation of the applicant dated 02.08.2018 within a reasonable time and therefore, he prayed to disposed of the present O.A. accordingly.

4. In view of the submissions made by the learned Advocate for the applicant and learned Presenting Officer, it is just and proper to direct the respondents to take appropriate decision on merit on the representation dated 02.08.2018 filed by the applicant within a period of two months from the date of this order.

5. In view of this, the O.A. stands disposed of with a direction to the respondents to take appropriate decision on merit on the representation dated 02.08.2018 filed by the applicant within a period of two months from the date of this order and communicate the decision therein to the applicant in writing. There shall be no order as to costs.

MEMBER (J)

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

**MA 515/18 in MA St. 3003/18 in MA 409/10 in MA 368/10 in OA 631/08
(Shri Sandip Digambarrao Chavhan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019.

ORAL ORDER :

Heard Shri B.S. Chondhekar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. The M.A. No. 515/2018 is filed by the applicant for condonation of delay caused for filing the application for restoration of M.A. 409/2010 in M.A. 368/2010 in O.A. 631/2008, which was dismissed on 09.10.2014.

3. On perusal of the record, it reveals that on 18.09.2008, the applicant has filed the O.A. No. 631/2008 seeking directions against the respondents to insert his name in place of his mother in the waiting list of the eligible candidates to be appointed on compassionate ground. There was office objection, but the applicant has not removed the office objection. Therefore, the O.A. came to be dismissed on 01.12.2008. Thereafter, the applicant had moved the M.A. No. 368/2010 for restoration of the O.A. No. 631/2008 by setting aside the order of dismissal of O.A. dated 01.12.2008 without filing the application for condonation of delay. The same was also dismissed in default on 29.10.2010. Thereafter, the

applicant had moved M.A. No. 409/2010 for setting aside the order passed by this Tribunal in M.A. No. 368/2010 in O.A. No. 631/2018 on 29.10.2010. The said M.A. was also dismissed on 09.10.2014 for want of prosecution. Thereafter, the applicant has filed M.A. St. No. 3003/2018 for restoration of M.A. No. 409/2010 in M.A. No. 368/2010 in O.A. No. 631/2018, which was dismissed on 09.10.2014 along with the present M.A. No. 515/2018 for condonaiton of delay caused for filing the application for restoration. There was delay of more than 4 years.

4. The record shows that the applicant was negligent in prosecuting the entire proceedings. The O.A. No. 631/2018 came to be dismissed on 01.12.2008. Thereafter several applications for restoration of O.A. and M.A. had been filed by the applicant, but the same came to be dismissed on account of the lapses on the part of the applicant. This fact shows that the applicant is negligent in conducting the matter. The applicant is abusing the process of law and therefore, in my view, the present M.A. cannot be allowed. Moreover, no sufficient and just ground has been shown by the applicant for condonation of inordinate delay caused in filing the application for restoration. Hence, the delay cannot be condoned. Consequently, the present M.A. deserves to be dismissed.

//3// MA 515/18 in MA St. 3003/18 in MA
409/10 in MA 368/10 in OA 631/08

5. In view of this, M.A. No. 515/2018 stands dismissed. Consequently, M.A. St. No. 3003/2018 also stands dismissed with no order as to costs.

MEMBER (J)

kpb ORAL ORDER 10.01.2019.

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

**M.A.NO. 305/2012 IN O.A.NO. 586/2012
(Shri Bharat M. Bhosale Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 13.02.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 289 OF 2018
(Shri Suraj S. Patil & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

Heard Shri Ganesh V. Mohekar, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants seeks accommodation. It is to be noted that in the present case interim relief is granted earlier, which is continued from time to time. In the circumstances, as a last chance, S.O. to 14.01.2019 with a forewarning that in case the applicant again seeks adjournment, the interim relief granted earlier may be discontinued.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 595 OF 2018
(Shri Bharat M. Bhosale Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant, on instructions from the applicant, submits that since respondent No. 2 is not necessary party the applicant may be allowed to delete the respondent No. 2 from the proceedings.

3. Allowed to delete the respondent No. 2. Deletion be carried out during the course of the day.

4. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 & 3. Time granted as a last chance.

5. S.O. to 13.02.2019 for filing affidavit in reply of respondent Nos. 1 & 3.

6. It is to be noted that if no reply is filed by the respondents on the next date, the request of the

O.A. NO. 595 OF 2018

applicant for issuing directions to decide the representation may be granted on the next date.

7. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 513 OF 2018
(Smt. Ashwini U. Dalvi Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

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 had on 07.01.2018 filed on record the copy of fresh decision taken by the concerned respondents in view of the directions issued by this Tribunal vide order dated 17.07.2018. The decision is apparently wrong on the facts of the case and, therefore, learned Presenting Officer sought time to take further instructions from the concerned respondents regarding the application of mind afresh. Learned Presenting Officer further submits that she has no instructions from the concerned respondents and on the other hand it was telephonically communicated that the decision may be filed on record and get decision on merits.

3. It thus, appears that Mr. D.S. Urade, Under Secretary, Maharashtra Public Service Commission, Mumbai, who has taken decision, is not ready to

O.A. NO. 513 OF 2018

apply the mind to the case and, as such, certain action is required to be taken in the matter.

4. Learned Presenting Officer however, submits that one opportunity may be granted before hearing both the parties on merits. Solely, at her request, S.O. to 21.01.2019 either for filing copy of fresh decision, if any taken in the meantime or for hearing in the O.A. on its own merits.

5. The merit list *prima facie* shows that the present applicant would be entitled for selection from open general female category. In the circumstances, in case selection process would be completed, one post from open general female category be kept vacant until further orders.

6. The learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 939 OF 2017
(Shri Dattatraya S. Bargaje Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.02.2019 for filing affidavit in rejoinder.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 791 OF 2018
(Shri Gajanan T. Patil Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

Heard Smt. Sunita D. Shelke, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 & 2. Shri S.D. Dhongde, learned Advocate for respondent Nos. 3 & 4 has filed leave note.

2. At the request of learned Advocate for the applicant, S.O. to 05.02.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 827 OF 2018
(Shri Shailendra P. Sandanshiv Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

Heard Shri Chandrakant P. Patil, learned Advocate for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri S.U. Choudhary, learned Advocate for respondent No. 4.

2. It appears from the proceedings that affidavit in reply of respondent Nos. 1 to 3 has already been filed on record.

3. Learned Advocate for respondent No. 4 has filed affidavit in reply and the same is taken on record and copy thereof has been served on the other side.

4. In the circumstances, S.O. to 05.02.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 729 OF 2018
(Shri Satish N. Shrimangle Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

Heard Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Choudhary, 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 of respondent Nos. 1 to 3 would be filed. He undertook to serve the copy of the same on the other side. He further submits that presently affidavit in reply of respondent No. 4 is not necessary.

3. In the circumstances, S.O. to 21.02.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**ORIGINAL APPLICATION NO. 18 OF 2019
(Shri Vikas V. Salve Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 21.02.2019.

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

8. Without filing any detailed affidavit in reply, the respondent No. 2 is directed to go through the fact that the present applicant is already punished in departmental enquiry by himself / herself and now merely because the applicant is convicted for the said incident by the Criminal Court, the show cause notice for the same incident is now issued, which is at Exhibit 'H' page-63 i.e. the impugned notice. Upon taking into consideration all these facts, the respondent No. 2 is directed to take corrective steps, if any of withdrawal of the show cause notice and shall file the copy of the decision along with the affidavit on record on the next date.

9. If for any other valid reasons the respondent No. 2 comes to the conclusion that the corrective steps cannot be taken then a short affidavit

explaining the reasons be filed on record on the next date. Till then interim relief in terms of prayer clause 'C', which runs as under, is hereby granted.

"C) Pending hearing and final disposal of this Original Application, the impugned show cause notice dated 28.12.2018 issued by the Superintendent of Police at Nanded bearing outward No. SB/170(318)/PC 2089 Salve/Ka.Da. No./2018, may kindly be stayed."

10. S.O. to 21.02.2019.

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

MEMBER (A)

VICE CHAIRMAN

**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
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 10.01.2019

ORAL ORDER :

Heard Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed affidavit in rejoinder and the same is taken on record and the copy thereof has been served on the learned Presenting Officer for the respondents.

3. S.O. to 12.02.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**M.A.ST.NO. 1814/2018 IN O.A.ST.NO. 1815/2018
(Shri Kamlakar G. Joshi Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

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

2. It appears from the proceedings that the office objections are not complied with by the applicant. In the circumstances, the present case be removed from the board.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**C.P.NO. 33/2018 IN O.A.NO. 74/2015
(Dr. Girish H. Thite Vs. State of Maharashtra & Ors.)**

WITH

**C.P.NO. 34/2018 IN O.A.NO. 78/2015
(Dr. Vijay V. Deshpande Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.01.2019

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicants in both the cases and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents in both these cases.

2. Learned Presenting Officer has filed a copy of decision rendered by the Hon'ble Bombay High Court Bench at Aurangabad, in W.P. Nos. 3344 & 3345 both of 2017 dated 30th November, 2018 against the decision passed by this Tribunal in the OA regarding which the present contempt petitions are filed. The copy of the decision of the Hon'ble High Court is taken on record and marked as document 'X' for the purposes of identification.

3. The aforesaid decision would show that the Hon'ble High Court had come to the conclusion that the age of retirement is not extended so far as the applicants are concerned. However, since under bonafide belief interim relief was granted,

:: - 2 - ::
C.P.NO. 33/2018 IN O.A.NO. 74/2015
AND
C.P. NO. 34/2018 IN O.A.NO. 78/2015

the Hon'ble High Court has directed that the retirement benefits shall be computed from the date they were allowed to work after 58 years and it is directed that the pensionary benefits be imparted within a period of three months from the date of the order i.e. 30th November, 2018.

4. In the circumstances, nothing survives in the present contempt petitions. Petitioners would be at liberty to take fresh action in case the decision of the Hon'ble High Court is not implemented by the concerned respondents. With this, the present contempt petitions are disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 10.01.2019-hdd

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

**M.A. 449/2018 IN C.P. ST 1276/2018 IN O.A. 793/1996
(Shri Chokhoba S. Kharat 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 : 10.01.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate holding for Shri P.G. Rodge, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent no. 1 and Shri S.B. Mene, learned Advocate for respondent no. 3. None appears for respondent no.2.

2. The present misc. application has been filed by the applicant for condonation of 1125 days delay caused in filing accompanying contempt petition.

3. In the circumstances, issue notices to the respondents in the present M.A., returnable on 12.2.2019.

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

5. 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.

6. 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.

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

8. 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.

9. S.O. to 12.2.2019.

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

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 6/2019 IN O.A. 440/2018
(Shri Shivani D. Sirsat 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 : 10.01.2019

ORAL ORDER :

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

2. Upon hearing both the sides, the present M.A. is allowed and disposed of without any order as to costs and applicant is permitted to add - the District Rehabilitation Officer, Collector Office, Beed – as party res. no. 3 in the O.A.

3. It further appears that the candidate, whose certificate is to be verified, is also a necessary party respondent in the O.A. In the circumstances, Shri Chandrakant Suryabhan Jagtap whose certificate is to be verified be added as res. no. 4 in the O.A. Learned Advocate undertakes to amend the O.A. suitably during the course of the day.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. 440/2018
(Shri Shivani D. Sirsat 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 : 10.01.2019

ORAL ORDER :

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

2. Upon addition of the District Rehabilitation Officer, Collector Office, Beed and Shri Chandrakant Suryabhan Jagtap as res. nos. 3 & 4 respectively in the present O.A., issue notices to the said added respondents, returnable on 28.1.2019.

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 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 28.1.2019.

9. Steno copy / hamdast allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 479/2018 IN O.A. 592/2017
(Association of Pharmacy Teachers of India through its Members
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 : 10.01.2019

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Learned C.P.O. submits that affidavit in reply of the concerned respondents in the present M.A. would be filed during the course of the day. The same be accepted on record and copy thereof be served upon the learned Advocate for the applicant. In the circumstances, S.O. to 14.1.2019.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 288/2018 IN O.A. ST. 1063/2018
(Shri Kamlakar K. Phad 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 : 10.01.2019

ORAL ORDER :

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

2. By the present misc. application the applicant is seeking condonation of delay of about 11 years caused in filing the accompanying O.A. challenging initiation of departmental enquiry by the respondents vide charge sheet dtd. 19.6.2006.

3. Learned Advocate for the applicant vehemently submitted that though the charge sheet was issued on 19.6.2006 for initiation of the departmental enquiry, no steps were taken by the concerned respondents and now communication dtd. 3.11.2017 is issued whereby the res. no. 1 freshly appointed the Enquiry Officer in the said enquiry.

4. According to the present applicant, since earlier Enquiry Officer was transferred, no further actions were taken by the res. no. 1 for prompt disposal of the departmental enquiry and now only steps are being taken. According to him, there is good case on merit in

favour of the applicant as even respondent State has not issued sanction order in respect of prosecution against the applicant.

5. The applicant averred in the present M.A. that he got lot of agony, frustration and sufferings on account of initiation of D.E. and, therefore, delay of 11 years caused in filing O.A. be condoned. Except this reason for condonation of delay, all other pleadings in the M.A. are on merit of O.A. Considering the fact that the applicant is a Dy. Collector and no valid reasons are made out for condonation of delay, the misc. application deserves to be dismissed.

6. At the same time as the D.E. is pending since long it is hereby directed that the res. no.1 – the Secretary, Revenue & Forest Department, Mantralaya, Mumbai – shall take action for completion of the enquiry at the earliest and in any case within 2 years from the date of this order.

7. With the above directions, the present M.A. is dismissed without any order as to costs. In view of dismissal of M.A., the registration of O.A. is hereby refused.

MEMBER (A)

VICE CHAIRMAN

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

**C.P. 79/2018 IN O.A. 392/2017
(Smt. Sheela H. Mohite 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 : 10.01.2019

ORAL ORDER :

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

2. Learned P.O. files on record copy of decision dtd. 9.1.2019 received to him from the concerned respondent, which is taken on record and marked as document 'X' for the purposes of identification and copy thereof has been served upon the learned Advocate for the applicant. By the said communication the concerned respondent has undertaken to consider the case of the present applicant for transfer during the ensuing general transfers of 2019.

3. In the circumstances, accepting the above undertaking of the concerned respondent, the present contempt petition is hereby disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 550/2014
(Shri Jagannath K. Kagle & Ors. 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 : 10.01.2019

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 22.1.2019 for final hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 714/2015
(Shri Shaikh Babu Shaikh Sultan 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 : 10.01.2019

ORAL ORDER :

Shri K.G. Salunke, learned Advocate for the applicant (**leave note**). Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 22.1.2019 for final hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 747/2015
(Shri Sadhu K. Lohar 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 : 10.01.2019

ORAL ORDER :

Heard Shri J.B. Choudhary, 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 a true copy of the proposal dtd. 24.1.2018 forwarded by the res. no. 3 – the Joint Director, Vocational Education & Training, Aurangabad to the res. no. 2 – the Director (Training), Vocational Education & Training, Mumbai – regarding grant of deemed date of promotion to the present applicant. The said copy of proposal is taken on record and marked as document 'X' for the purposes of identification with copy thereof to the learned P.O. for the respondents. It is an admitted fact that during the pendency of the present O.A., the applicant was promoted and now the issue of grant of deemed date or promotion to him is remained there.

3. Learned Advocate submits that the present applicant would be satisfied if the O.A. is disposed of

with a suitable directions to the res. no. 2 to decide the proposal document 'X' within a stipulated period.

4. Since the proposal for grant of deemed date of promotion is already forwarded by the res. no. 3 to the res. no. 2 on 24.1.2018, we dispose of the present O.A. without any order as to costs with a direction to the res. no. 2 - the Director (Training), Vocational Education & Training, Mumbai - to decide the said proposal document 'X' within a period of 3 months from the date of this order and communicate the result thereof to the applicant in writing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 813/2015
(Smt. Priyanka S. Bane 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 : 10.01.2019

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3, is present. None appears for respondent no. 4.

2. Order of the Tribunal dtd. 13.6.2017 would show that the present applicant may not be eligible for consideration for appointment, as besides the issue of non-creamy layer certificate and though the applicant and the res. no. 4 have secured same marks, the res. no. 4 was senior in age. However, in view of absence of applicant or his learned Advocate, S.O. to 28.1.2019 for hearing on above line and also on merit of the case.

MEMBER (A)

VICE CHAIRMAN