

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

**ORIGINAL APPLICATION NO.300 OF 2018
(Dr. SureshaLathkar V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant relied on the order passed by this Tribunal in O.A. No. 701/2017 and O.A. Nos. 901, 902 & 903 all of 2017. Learned Advocate for the applicant submits that the present applicant is also similarly situated with applicants in the above O.As.

3. In the circumstances, the similar order is being passed.

4. Issue notices to the respondents, returnable on 20.6.2018.

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

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

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

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. Applicants are directed to file affidavit of compliance and notice.

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

10. Considering the submissions made by the learned Advocate for the applicant, without going into the merit of the present O.A. interim reliefs in terms of prayer clauses (f)& (g) is hereby granted until further orders, which runs as under

“(f) The respondents may kindly be restrained from recovering of alleged excess payment of Rs. 7,52,142/- (Rupees Seven Lac Fifty two thousand one hundred forty two only) sought from applicant on account of alleged excess payment paid to her for the period 01.01.2006 to 31.10.2017 from her pensionary benefits as per Pension Payment Order (P.P.O.) dated 23.04.2018.

(g) Respondents may kindly be directed not to recover alleged excess amount of Rs. 7,52,142/- ((Rupees Seven Lac Fifty two thousand one hundred forty two only) from applicant till final decision of O.A.”

11. Before filing a detailed affidavit in reply, the concerned respondents to go through the annexures of the O.A. and more particularly through the copy of the judgment delivered by this Tribunal in O.A. no. 633/2014 dtd. 27.1.2017, Annexure 'A-9', Page-94 to 102.

12. Upon consideration of the same, if the concerned respondents come to the conclusion that any corrective steps can be taken in the matter, then the same be taken and report thereof be filed in the O.A. on the next date. In case for any rule or law the corrective steps cannot be taken, then short affidavit explaining the reasons therefor be filed on the next date.

13. S.O. to 20.6.2018.

14. Steno copy allowed for the use of both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 301 OF 2018
(Smt. Shubhangi V. Khedkar V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

Heard ShriR.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and ShriM.P. Gude, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 19.6.2018.

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

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

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

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

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O.A. NO. 301 OF 2018

the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

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

8. Considering the fact that the present applicant has applied from Open Female Category, though she belongs to NT-D category and that she was not selected from the said category though Sr. No. 346 onwards till 351, who secured less marks were selected, presently interim relief in terms of prayer clause 11 (C) is hereby granted, which runs as under :-

“11 (C) Pending the hearing and final disposal of this Original Application, the respondent no. 2 may kindly be directed to keep one seat of Clerk-Typist (Marathi) vacant for the applicant, form the Open (Female) category and for that purpose issue necessary orders.”

9. S.O. to 19.6.2018.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO.292 OF 2018
(Sau.Bhavana H. Thakare V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

Heard ShriS.D. Dhongde, learned Advocate for the applicant and ShriM.P. Gude, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 27.6.2018.

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

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

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

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

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O.A. NO.292 OF 2018

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

9. S.O. to 27.6.2018.

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

VICE CHAIRMAN

ORAL ORDERS 11-5-2018-HDD

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

**ORIGINAL APPLICATION NO. 295 OF 2018
(Smt. Vaishali K. KordeV/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

Heard ShriJ.S. Deshmukh, learned Advocate for the applicant and ShriM.P. Gude, learned Presenting Officer for the respondents.

2. On instructions, the learned Advocate for the applicant submits that the applicant wishes to withdraw the present Original Application. However, liberty to make representation may be granted and the respondents may be directed to consider the said representation in due course of time.

3. Permission to withdraw the present Original Application is granted.

4. Accordingly, the present Original Application is disposed of as withdrawn with liberty as prayed for. No order as to costs.

VICE CHAIRMAN

ORAL ORDERS 11-5-2018-HDD

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

**ORIGINAL APPLICATION NO.620 OF 2017
(ShriAkshaykumar U. Jadhao V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

Heard ShriV.B. Wagh, learned Advocate for the applicant.

2. The present case is not on today's board. Production is allowed.

3. Learned Advocate for the applicant submits that there is some typographical error in the second paragraph of order dated 3.5.2018. He submits that though the applicant has served the respondent Nos. 5 & 7 in advertently it is recorded in the said order that respondent Nos. 5 & 6 are served. Further though he has submitted that address of respondent No. 6 is found to be incorrect in advertently it is recorded that respondent No. 7's address is found to be incorrect.

4. In the circumstances, second paragraph of the order dated 3.5.2018 be corrected as under :-

“2. Learned Advocate for the applicant submits that service affidavit of respondent Nos. 5 &7 is being filed in the office of this Tribunal, which would show that the notices are served. He submits that the address of the respondent No. 6 however, is found to be incorrect. At his request, issue fresh notice to respondent No. 6 through respondent No. 1, returnable on 26th June, 2018”.

5. The Registrar of this Tribunal to take corrective steps accordingly.

VICE CHAIRMAN

ORAL ORDERS 11-5-2018-HDD

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

**ORIGINAL APPLICATION NO. 303/2018
(Sitaram M. Bhokare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

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

2. Upon hearing the learned Advocate for the applicant, it appears that, no case is made out for issuing notices to the respondents. In the circumstances, this matter be placed for hearing before the regular bench after vacation, upon circulation.

VICE CHAIRMAN

ARJ ORAL ORDERS 11-5-2018

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

**ORIGINAL APPLICATION NO. 257/2018
(Meenakshi V. Modiraj V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

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

2. Learned P.O. files on record separate affidavit in replies of res. no. 1 & 4 and res. nos. 2 & 3. The same are taken on record and copies thereof have been served upon the learned Advocate for the applicant.

3. Upon hearing both the sides, it appears that, there is no urgency in the present matter. Hence, it is removed from the board and it be placed before the regular bench on 12.6.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 11-5-2018

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

**M.A. ST. 643/2018 IN O.A. ST. 591/2018
(Balasaheb P. Hon & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

Heard Shri D.V. Katneshwarkar, learned Advocate holding for Shri N.P. Wangikar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. After hearing for some time, learned Advocate for the applicants submits that the present O.A. be placed before the regular bench after vacation on 7.6.2018. S.O. to 7.6.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 11-5-2018

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

**ORIGINAL APPLICATION ST. NO. 720/2018
(Maruti H. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.5.2018

ORAL ORDER :

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

2. Upon hearing the learned Advocate for the applicant for some time, it appears that, no case is made out for grant of interim relief. In the circumstances, place the present matter before the regular Court on 7.6.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 11-5-2018

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

ORIGINAL APPLICATION NO. 620 OF 2017

[Shri Akshaykumar U. Jadhao Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.05.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 & 2. Shri H.I. Pathan, learned Advocate for respondent Nos. 3, 4, 8, & 9 (**absent**). None appears for respondent Nos. 5 to 7.

2. Learned Advocate for the applicant submits that service affidavit of respondent Nos. 5 & 6 is being filed in the office of this Tribunal, which would show that the notices are served. He submits that the address of the respondent No. 7 however, is found to be incorrect. At his request, issue fresh notice to respondent No. 7 through respondent No. 1, returnable on 26th June, 2018.

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

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

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

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

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

8. S.O. to 26th June, 2018.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 03.05.2018-HDD

Para 2 corrected as per order of the Hon'ble Tribunal dated 11.5.2018.

2. Learned Advocate for the applicant submits that service affidavit of respondent Nos. 5 & 7 is being filed in the office of this Tribunal, which would show that the notices are served. He submits that the address of the respondent No. 6 however, is found to be incorrect. At his request, issue fresh notice to respondent No. 6 through respondent No. 1, returnable on 26th June, 2018.

Sd/-
I/c Registrar