

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

**ORIGINAL APPLICATIN NO. 594/2017
(Smt. Ranjana Rajendra Pagare & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. The applicant has challenged the order dated 17.11.2012 issued by the respondent No. 3 i.e. Joint Director, Vocational Education and Training, Nashik rejecting the application of the applicant for appointment on compassionate ground on the ground that her husband deceased Rajendra Pagare was serving as a Craft Instructor (Mach. Electronics) and drawn salary in the pay scale of Rs. 5500-9000 and therefore, he became Group-B employee.

3. It is contention of the applicant that the respondent No. 3 has wrongly rejected her application on the ground that her husband

deceased Rajendra Pagare was Group-B non-gazetted officer in view of the G.R. dated 02.07.2002. It is contention of the applicant the respondent No. 3 has not followed the guidelines in the G.R. properly and provisions therein and therefore, the impugned order came to be passed. It is contention of the applicant that her husband deceased Rajendra Pagare was serving as a Craft Instructor (Mach. Electronics) and died on 20.03.02012, while in service. It is her contention that after his death, the applicant has filed the application for appointing her on compassionate ground, but her application had been rejected by the respondent No. 3 for the reasons stated above. It is her contention that the impugned order is illegal and therefore, she prayed to allow the present Original Application.

4. The respondent Nos. 1 to 4 have resisted the contention of the applicant on the ground that deceased Rajendra Pagarer was serving as a Craft Instructor (Mach. Electronics) in the pay scale of Rs. 5500-9000 at

the time of his death. It is their contention that in view of the provisions of the G.R. dated 02.07.2002, the Government has fixed the gradation of the employees in Group-A, B, C & D on the basis of pay scale of the posts. In the G.R. minimum and maximum limit of the pay scales of the posts has been mentioned. As per the said G.R., the pay scale of the post, who is receiving salary not less than Rs. 9000/- and less than Rs. 11500/- has been covered under Group-B category. It is their contention that deceased Rajendra Pagare was serving in the pay scale of Rs. 5500-9000 and therefore, the post of Craft Inspector comes under Group-B (Non-gazetted) category and therefore, the applicant is not entitled to get appointment on compassionate ground, as the said benefit is not available to the legal heirs of the deceased employee, who was serving in the Group-B category. It is their contention that the respondent No. 3 has rightly rejected the application of the applicant and therefore, they justified the impugned order and prayed to dismiss the present O.A.

5. Learned Advocate for the applicant has submitted the application of the applicant has been rejected by the respondent No. 3 only on the ground that deceased Rajendra Pagare was getting pay in the pay scale of Rs. 5500-9000, which falls under Group-B category in view of the G.R. dated 02.07.2002. He has submitted that the similar issue has been decided by this Tribunal as well as by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad. The Hon'ble High Court in case of **Dinesh Shanmrao Sonawane Vs. The State of Maharashtra & Ors. in W.P. No. 5440 of 2009**, on **5th February, 2010**, has observed as follows:-

“5. To examine the correctness of this submission, we would straightway refer to Government Resolution dated 02-07--2002. Clause-1 of the said Government Resolution defines the Group-A category. We are not concerned with the said definition. According to the petitioner, the petitioner would be covered by Group-C category, whereas according to the respondents, the petitioner would be covered by Group-B category. Insofar as Group-B category is concerned, it

stipulates that in cases where the Pay Scale is not less than Rs. 9000/- and not more than Rs.11500/, the same will be covered by Group-B category. Insofar as Group-C category is concerned, it stipulates that in cases where the Pay Scale is not less than Rs. 4400/- and not more than Rs. 9000/, the same will be covered by Group-C category. As aforesaid, it is not in dispute that that the Pay Scale of late Smt. T.D. Sonawane was Rs. 5500-9000/. The natural meaning to be assigned the above Clauses, in our opinion, is that if the Pay Scale is between Rs.4400/- up to Rs. 9000/, such cases would be covered by Group-C category, whereas if the Pay Scale is between Rs.9001/- up to Rs.11500/, the same will be covered by Group-B category. If any other interpretation is given to the said clauses, it would create anomalous situation. In much as, a person with the Pay Scale of Rs.9000/- will be covered in Group-B category as well as Group-C category since Pay Scale of Rs. 9000/- is mentioned in both categories. Such interpretation cannot be countenanced. Thus understood, the stand taken by the respondents that the petitioner is ineligible as his case is covered in Group-

B category, cannot be sustained. That stand will have to be stated to be rejected since admittedly the Pay Scale of the petitioner's predecessor was Rs.5500-9000.”

6. He has also submitted that again same issue has been decided by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad in case of **The State of Maharashtra and Others Vs. Chetan Shivaji Gaikwad in W.P. Nos. 2465 of 2016 & 2467 of 2016** on **02.03.2016** and the Hon'ble High Court approved the earlier view taken by it in case of Dinesh Shamrao Sonawane V. The State of Maharashtra & Ors. in W.P. No. 5440 of 2009. He has submitted that the principles laid down therein are most appropriately applicable in the instant case and therefore, it can be held that the employees, who was getting pay scale of Rs. 5500-9000 falls in group-C category and not in Group-B as observed by the respondent No. 3 while issuing the impugned order and therefore, he prayed to allow the present O.A. and to set aside the impugned order.

7. Learned Presenting Officer has submitted that the respondent No. 3 has rightly rejected the application of the applicant, as deceased Rajendra Pagare was serving in the pay scale of Rs. 5500-9000 and therefore, he was treated as Group-B employee. Therefore, he supported the impugned order and prayed to reject the O.A.

8. On going through the judgments of the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad, it is crystal clear that the Hon'ble High Court has decided the similar issue involved in the earlier matter and held that the employees given pay scale of Rs. 5500-9000 will be covered by Group-C category and therefore, the Hon'ble High Court has extended the benefits to the heirs of the deceased employee to get appointment on compassionate ground. The facts in the present case are similar to that of the facts in the above cited decisions referred by the learned Advocate for the applicant. It has been specifically observed by the Hon'ble High Court in the decision in case of the State of Maharashtra

and Others Vs. Chetan Shivaji Gaikwad in W.P. Nos. 2465 of 2016 & 2467 of 2016 decided on 02.03.2016, the judgment of the Hon'ble High Court in case of **Dinesh Shanmrao Sonawane Vs. The State of Maharashtra & Ors. in W.P. No. 5440 of 2009** has not been assailed before the Hon'ble Supreme Court and therefore, it has attained finality. The principles laid down in the above decision are most appropriately applicable in the instant case.

9. Considering the above decisions and principles laid down therein, in my view, the respondent No. 3 has wrongly rejected the application of the applicant on the ground that deceased Rajendra Pagare was Group-B employee. The respondent No. 3 ought to have held that deceased was Group-C employee in view of the above said principle laid down by the Hon'ble High Court, as he was getting pay in the pay scale of Rs. 5500-9000. But the respondent No. 3 has wrongly held that deceased was Group-B employee and rejected the application of the

applicant. Therefore, the impugned order dated 17.11.2012 issued by the respondent No. 3 requires to be quashed and set aside by allowing the present Original Application.

10. In view of the discussions in foregoing paragraphs, the O.A. is allowed. The impugned order dated 17.11.2012 issued by the respondent No. 3 is hereby quashed and set aside. The respondents are directed to decide the application of the applicant afresh as per the Rules within a period of three 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
ORIGINAL APPLICATIN NO. 612/2017
(Smt. Nirmala Popat Walke & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri R.B. Temkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks leave of this Tribunal to correct the nomenclature of the respondent No. 3 as "Joint Director" instead of "Director". Leave as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment forthwith.

3. The applicant has challenged the order dated 31.12.2015 issued by the respondent No. 3 i.e. Joint Director, Vocational Education and Training, Nashik rejecting the application of the applicant for appointment on compassionate ground on the ground that her husband deceased Popat Walke was serving as a Craft Instructor (Welder) and drawn salary in the pay scale of Rs. 5500-9000 and therefore, he became Group-B employee.

4. It is contention of the applicant that the respondent No. 3 has wrongly rejected her application on the ground that her husband deceased Popat Walke was Group-B non-gazetted officer in view of the G.R. dated 02.07.2002. It is contention of the applicant the respondent No. 3 has not followed the guidelines in the G.R. properly and provisions therein and therefore, the impugned order came to be passed. It is contention of the applicant that her husband deceased Popat Walke was serving as a Craft Instructor (Welder) and died on 30.09.2015, while in service. It is her contention that after his death, the applicant has filed the application for appointing her on compassionate ground, but her application had been rejected by the respondent No. 3 for the reasons stated above. It is her contention that the impugned order is illegal and therefore, she prayed to allow the present Original Application.

5. The respondent Nos. 1 to 4 have resisted the contention of the applicant on the ground that deceased Popat Walke was

-serving as a Craft Instructor (Welder) in the pay scale of Rs. 5500-9000 at the time of his death. It is their contention that in view of the provisions of the G.R. dated 02.07.2002, the Government has fixed the gradation of the employees in Group-A, B, C & D on the basis of pay scale of the posts. In the G.R. minimum and maximum limit of the pay scales of the posts has been mentioned. As per the said G.R., the pay scale of the post, who is receiving salary not less than Rs. 9000/- and less than Rs. 11500/- has been covered under Group-B category. It is their contention that deceased Popat Walke was serving in the pay scale of Rs. 5500-9000 and therefore, the post of Craft Inspector comes under Group-B (Non-gazetted) category and therefore, the applicant is not entitled to get appointment on compassionate ground, as the said benefit is not available to the legal heirs of the deceased employee, who was serving in the Group-B category. It is their contention that the respondent No. 3 has rightly rejected the application of the applicant and therefore, they

justified the impugned order and prayed to dismiss the present O.A.

6. Learned Advocate for the applicant has submitted the application of the applicant has been rejected by the respondent No. 3 only on the ground that deceased Popat Walke was getting pay in the pay scale of Rs. 5500-9000, which falls under Group-B category in view of the G.R. dated 02.07.2002. He has submitted that the similar issue has been decided by this Tribunal as well as by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad. The Hon'ble High Court in case of **Dinesh Shanmrao Sonawane Vs. The State of Maharashtra & Ors. in W.P. No. 5440 of 2009**, on **5th February, 2010**, has observed as follows:-

“5. To examine the correctness of this submission, we would straightway refer to Government Resolution dated 02-07--2002. Clause-1 of the said Government Resolution defines the Group-A category. We are not concerned with the said definition. According to the petitioner, the petitioner would be covered by Group-C

category, whereas according to the respondents, the petitioner would be covered by Group-B category. Insofar as Group-B category is concerned, it stipulates that in cases where the Pay Scale is not less than Rs. 9000/- and not more than Rs.11500/, the same will be covered by Group-B category. Insofar as Group-C category is concerned, it stipulates that in cases where the Pay Scale is not less than Rs. 4400/- and not more than Rs. 9000/, the same will be covered by Group-C category. As aforesaid, it is not in dispute that that the Pay Scale of late Smt. T.D. Sonawane was Rs. 5500-9000/. The natural meaning to be assigned the above Clauses, in our opinion, is that if the Pay Scale is between Rs.4400/- up to Rs. 9000/, such cases would be covered by Group-C category, whereas if the Pay Scale is between Rs.9001/- up to Rs.11500/, the same will be covered by Group-B category. If any other interpretation is given to the said clauses, it would create anomalous situation. In much as, a person with the Pay Scale of Rs.9000/- will be covered in Group-B category as well as Group-C category since Pay Scale of Rs. 9000/- is mentioned in both categories. Such

interpretation cannot be countenanced. Thus understood, the stand taken by the respondents that the petitioner is ineligible as his case is covered in Group-B category, cannot be sustained. That stand will have to be stated to be rejected since admittedly the Pay Scale of the petitioner's predecessor was Rs.5500-9000."

7. He has also submitted that again same issue has been decided by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad in case of **The State of Maharashtra and Others Vs. Chetan Shivaji Gaikwad in W.P. Nos. 2465 of 2016 & 2467 of 2016** on **02.03.2016** and the Hon'ble High Court approved the earlier view taken by it in case of Dinesh Shamrao Sonawane V. The State of Maharashtra & Ors. in W.P. No. 5440 of 2009. He has submitted that the principles laid down therein are most appropriately applicable in the instant case and therefore, it can be held that the employees, who was getting pay scale of Rs. 5500-9000 falls in group-C category and not in Group-B as observed by the respondent No. 3

while issuing the impugned order and therefore, he prayed to allow the present O.A. and to set aside the impugned order.

8. Learned Presenting Officer has submitted that the respondent No. 3 has rightly rejected the application of the applicant, as deceased Popat Walke was serving in the pay scale of Rs. 5500-9000 and therefore, he was treated as Group-B employee. Therefore, he supported the impugned order and prayed to reject the O.A.

9. On going through the judgments of the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad, it is crystal clear that the Hon'ble High Court has decided the similar issue involved in the earlier matter and held that the employees given pay scale of Rs. 5500-9000 will be covered by Group-C category and therefore, the Hon'ble High Court has extended the benefits to the heirs of the deceased employee to get appointment on compassionate ground. The facts in the present case are similar to that of the facts in the above cited decisions referred by the

learned Advocate for the applicant. It has been specifically observed by the Hon'ble High Court in the decision in case of the State of Maharashtra and Others Vs. Chetan Shivaji Gaikwad in W.P. Nos. 2465 of 2016 & 2467 of 2016 decided on 02.03.2016, the judgment of the Hon'ble High Court in case of **Dinesh Shanmrao Sonawane Vs. The State of Maharashtra & Ors. in W.P. No. 5440 of 2009** has not been assailed before the Hon'ble Supreme Court and therefore, it has attained finality. The principles laid down in the above decision are most appropriately applicable in the instant case.

10. Considering the above decisions and principles laid down therein, in my view, the respondent No. 3 has wrongly rejected the application of the applicant on the ground that deceased Popat Walke was Group-B employee. The respondent No. 3 ought to have held that deceased was Group-C employee in view of the above said principle laid down by the Hon'ble High Court, as he was getting pay in the pay scale of Rs. 5500-9000. But the respondent No.

3 has wrongly held that deceased was Group-B employee and rejected the application of the applicant. Therefore, the impugned order dated 31.12.2015 issued by the respondent No. 3 requires to be quashed and set aside by allowing the present Original Application.

11. In view of the discussions in foregoing paragraphs, the O.A. is allowed. The impugned order dated 31.12.2015 issued by the respondent No. 3 is hereby quashed and set aside. The respondents are directed to decide the application of the applicant afresh as per the Rules within a period of three 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**

**ORIGINAL APPLICATION NO. 726/2017
(Ashvini P. Sonavane & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant submits that the applicant does not wish to proceed with the present O.A. and she wants to withdraw the same. He has also placed on record the pursis signed by the applicant to that effect. The same is taken on record and marked as document 'X'.

3. In the circumstances, the O.A. is disposed of as withdrawn without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 67/2018
(Dr. Mohd. Feroz Iqbal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned C.P.O. S.O. to 10.4.2018 for filing affidavit in reply of the respondents. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 857/2016
(Bhikan P. Sonar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate
for the applicants and Shri I.S. Thorat, learned
Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 3.4.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 117/2018
(Ujwala G. Ingle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri G.B. Kingre, learned Advocate holding for Shri R.L. Kute, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. It appears that, in view of the provisions of sec. 25 (3) of the Code of Criminal Procedure, a order of termination cannot be challenged. The learned Advocate for the applicant, however, seeks time to take instructions in this regard from the applicant. At his request S.O. to 4.4.2018 for taking instructions on the above line.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 141/2018
(Nanda P. Bankar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant has drawn my attention to page 25 (A) whereunder the concerned respondent has decided the case of the applicant regarding deemed date of promotion. It is further stated in the said letter that earlier the applicant was asked to join on the promotional post vide letter dtd. 28.3.2013, however, she refused to join thereon and requested that as and when the post would be clearly vacant i.e. on 31.5.2013 upon superannuation of the relevant employee, she should be promoted.

3. The learned Advocate for the applicant submits that there is no refusal as such as is claimed by the respondents in the impugned decision.

4. In view of above facts, issue notices to the respondents, returnable on 17.4.2018.

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

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

7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the 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. Applicant is directed to file affidavit of compliance and notice.

9. The respondents are expected to clarify in the affidavit in reply the above situation.

10. S.O. to 17.4.2018.

11. Steno copy / hamdast allowed to the both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 144/2018
(Dattatraya N. Samindre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on
9.4.2018.

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 question such as
limitation and alternate remedy are kept open.

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

7. S.O. to 9.4.2018.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 145/2018
(Maheshkumar L. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 10.4.2018.

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 question such as limitation and alternate remedy are kept open.

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

7. S.O. to 10.4.2018.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 147/2018
(Dashrath G. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri Pankan B. Bharat, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 11.4.2018.

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 question such as limitation and alternate remedy are kept open.

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

7. S.O. to 11.4.2018.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 148/2018
(Uttam E. Mudiraj V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 11.4.2018.

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 question such as limitation and alternate remedy are kept open.

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

7. S.O. to 11.4.2018.

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

VICE CHAIRMAN

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

**C.P. ST. 1961/2017 IN O.A. 57/2016
(Ravindra D. Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. In view of absence of applicant & his Advocate, S.O. to 26.4.2018 for hearing on the office objection/s.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**M.A. 60/2018 IN O.A. ST. 185/2018
(Mukund M. Dhotre & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the misc. application and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamp, if not paid, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

O.A. ST. 185/2018

(Mukund M. Dhotre & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 17.4.2018.

3. Tribunal may take the case 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. 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

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.

7. Before filing any detailed affidavit in reply, the concerned respondents to go through the provisions of the recruitment rules existing for the Forest Department dtd. 30.6.2011 (page 64 of O.A.) and more particularly rule 8 on which reliance was placed by the Division Bench of the Tribunal while passing order in O.A. no. 660/2011 on 20.10.2016. The concerned respondents to go through the notification (Annex. A. 14 page 90) on which reliance is placed for refusing promotion to the applicants and more particularly provision to sub rule 2 of rule 1, which shows that in case separate recruitment rules are framed then the said G.R. at Annex. A.14 page 90 would not be applicable and the concerned respondents will have to go according to separate recruitment rules.

8. The learned Advocate for the applicant also points out from page 90 under which relaxation is given in passing the typing examination before appointment.

9. In the circumstances, the concerned respondents shall take corrective steps on the above line and file report. In case they come to the conclusion that no corrective steps can be taken in the matter, then a reply explaining reasons therefor be filed on the next date.

10. S.O. to 17.4.2018, for report.

11. Steno copy / hamdast allowed to the both the sides.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 689/2015
(Dr. Shrikant B. Tambe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 to 4 and Shri V.B. Wagh, learned Advocate for respondent no. 6. None appears for respondent no. 5.

2. The learned Advocate for res. no. 5 has filed on record the copy of the judgment of Hon'ble High Court dated 4.8.2017 in W.P. nos. 9117/2016 and 467/2017. It is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned P.O.

3. Arguable case is made out. Hence, the present O.A. is admitted. The respective Counsel waive service of notice of admission upon the respective respondents.

4. The O.A. is removed from for time being and it be placed for hearing before the Division Bench as and when it is available.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 685/2015
(Rahul B. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

None appears for the applicants. Shri N.U. Yadav, learned Presenting Officer for respondents, is present.

2. In view of the fact that on the earlier date it was noted that wife of Shri Adgaonkar, learned Advocate is undergoing treatment for cancer, S.O. to 25.4.2018 for making submissions by the learned Advocate on the line of order dtd. 24.7.2017.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 567/2016
(Vijay K. Shirat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 & 2, Shri V.B. Wagh, learned Advocate for respondent no. 3 and Shri V.G. Pingle, learned Advocate for respondent nos. 4, 5 & 8. None appears for respondent nos. 6 & 7.

2. The learned P.O. seeks time to take instructions from the concerned respondents on the line of order dtd. 30.1.2018. At her request, S.O. to 26.4.2018 for taking instructions on the line of order dtd. 30.1.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 587/2016
(Vijaysing H. Bagul V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant has filed rejoinder. It is taken on record and copy of the same has been served upon the learned P.O. for the respondents.

3. Arguable case is made out. Hence, the present O.A. is admitted. The respective Counsel waive service of notice of admission upon the respective respondents.

4. The O.A. is removed from the board for time being and it be placed for hearing before the Division Bench as and when it is available.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 722/2016
(Kmlakar S. Hinge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri V.B. Kale, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Arguable case is made out. Hence, the present O.A. is admitted. The learned P.O. waives service of notice of admission upon the respondents.

4. The O.A. is removed from the board for time being and it be placed for hearing before the Division Bench as and when it is available.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 165/2017
(Dr. Sunil P. Bhamre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 & 2. None appears for res. no. 3 despite due service of notice as per service affidavit.

2. At the request of learned P.O. S.O. to 25.4.2018 for filing affidavit in reply of res. nos. 1 & 2.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

O.A. NOS. 623, 624 634 OF 2017 WITH O.A. NO. 135/2018

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan & Smt. Priya R. Bharaswadkar, learned Chief Presenting Officer & Presenting Officer for respondents in respective matters.

2. At the request of learned P.O. S.O. to 16.3.2018 for filing affidavit in reply in O.A. nos. 623, 624 & 634/2017. O.A. no. 135/2018 be tagged with this group on the next date.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 688/2017
(Dr. Baliram R. Pandwe & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned C.P.O. S.O. to 3.4.2018 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 736/2017
(Sanjay U. Kale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate
holding for Shri S.S. Thombre, learned Advocate
for the applicant and Shri M.S. Mahajan, learned
Chief Presenting Officer for respondents.

2. At the request of learned C.P.O. S.O. to
16.4.2018 for filing affidavit in reply of the
respondents. The interim relief granted earlier to
continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 591/2017
(Sachin B. Jagtap V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri S.P. Ghoble, learned Advocate holding for Shri N.L. Choudhary, 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 10.4.2018 for hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 655/2017
(Sujata D. Hingole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate
holding Shri J.S. Kshirsagar, learned Advocate
for the applicant and Shri M.P. Gude, learned
Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 11.4.2018

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 79/2017
(Mohd. Kamran Mohd. Abrar Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the
applicant, S.O. to 5.4.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

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

**ORIGINAL APPLICATION NO. 301/2017
(Dr. Seema P. Panad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 13.03.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for respondent nos. 1 & 2 and Smt. G.S. Aute, learned Advocate holding for Shri B.S. Mundhe, learned Advocate for respondent no. 3.

2. The learned P.O. submits that instructions from the concerned respondents on the line of order dtd. 27.2.2018 are awaited and therefore she seeks time therefor. At his request S.O. to 16.4.2018 for taking instructions from the concerned respondents on the line of order dtd. 27.2.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 13-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 610/2017
(Smt. Kamalbai R. Hatte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Shri V.G. Pingle, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 to 4 and Shri M.K. Bhosle, learned Advocate for respondent No. 5.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a most last chance.

3. S.O. to 13.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 635/2017

(Shri Sakharam B. Rakh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Shri V.G. Pingle, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent No. 1.

2. Learned Advocate Shri S.B. Mene, has filed VAKALATNAMA on behalf of respondent Nos. 2 to 4. Same is taken on record. He seeks time to file affidavit in reply on behalf of respondent Nos. 2 to 4.

3. S.O. to 13.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 175/2017

(Shri Madhukar M. Khamkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 06.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 97/2017 in O.A. St. No. 162/2017
(Shri Bhanudas D. Vaishnav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.03.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 21/2018 in O.A. No. 400/2017
(Smt. Vrushali S. Doifode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for respondent Nos. 1 to 3. None present for respondent Nos. 4 & 5.

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

3. S.O. to 06.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 143/2018

(Shri Sopan K. Shelke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 23.03.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

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 : 13.03.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to take instructions from the respondents. Time granted.

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 13.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 43/2017
(Shri Nanasaheb S. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 16.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 58/2017

(Shri Maruti M. Kakad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. No affidavit in reply has been filed on behalf of respondent No. 1.

3. At the request of learned Presenting Officer, S.O. to 18.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 129/2017

(Shri Shafi Pasha Aziz Pasha V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 18.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 184/2017
(Shri Nadim Yunus Sk. (Mulla) V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Shri S.S. Wagh, learned Advocate holding for Shri V.B. Wagh, 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, S.O. to 09.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 375/2017
(Shri Gopal A. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Shri V.G. Pingle, 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 13.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 406/2017

(Shri Rajendra H. Kankutey V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.
3. S.O. to 06.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 629/2017
(Shri Vijay N. Lokhande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Shri J.B. Choudhary, learned Advocate for the applicant (**Absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 10.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 501/2017
(Shri Dhudku B. Mahale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Shri J.B. Choudhary, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 to 3. None present for respondent No. 4.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 10.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 697/2017

(Smt. Syeda Ashraf Nadima V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

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

3. S.O. to 19.04.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 466/2017

(Shri Shyamsundar R. Pande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that the applicant is a in-charge of the Establishment Section in the office of Superintending Engineer, Nanded Circle at the relevant time. He has submitted that the letter dated 29.05.2013 bearing outward No. 3138 sent by the Assistant Superintending Engineer, Osmanabad Irrigation Circle, Osmanabad has been received in the office of the Superintending Engineer, Mechanical Circle, Nanded. On receiving the same to the office of Superintending Engineer, Mechanical Circle, Nanded, the same is

entered in the inward registered at Sr. No. 6741. He has submitted that as per the practice followed by the office of Superintending Engineer, Mechanical Circle, Nanded after entering the correspondence received to the office in the inward register, the said correspondence used to be handed over to the in-charge of concerned section for taking necessary action. Accordingly, the letter dated 29.05.2013 received to the office of the Superintending Engineer, Mechanical Circle, Nanded from the Irrigation Circle, Osmanabad has been handed over to the applicant, who was then in-charge of the Establishment Section and accordingly, he made entry of it in the worksheet register (कार्यविवरण पत्र) maintained by him at Sr. No. 55/655. But thereafter, he had not taken any further action in that regard. He has submitted that the respondents are ready to produce record in that regard and also intends to file short affidavit regarding procedure followed in the office of the Superintending Engineer, Mechanical Circle,

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O.A. No. 466/2017

Nanded and therefore, he seeks time. Time granted.

3. S.O. to 21.03.2018.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 313/2017

(Shri Tulshiram B. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Today, the learned Presenting Officer has placed on record a copy of communications dated 31.05.2017 and copy of the office order dated 25.05.2017. Same are taken on record and marked as document 'X' and 'X-1' for the purposes of identification.

3. Learned Presenting Office seeks time to take instructions from the respondents regarding the proposal dated 31.05.2017 sent by the In-charge Joint Director, Technical Education, Divisional Office, Aurangabad for making correction in the earlier proposal mistakenly sent in the name of Shri D.P. Ashtekar instead of the applicant and the decision of the Civil Services Board thereon. Time granted.

3. S.O. to 21.03.2018.

MEMBER (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 158/2017
(Dr. Surekha V. More V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. As per the directions given by this Tribunal on 12.02.2018, the learned Presenting Officer has produced on record original inward and outward registers maintained by the Civil Surgeon, Latur for the month of March 2014. The said record is made available to the learned Advocate for the applicant for inspection. On inspection and perusal of the record, the learned Advocate for the applicant, as well as, learned Presenting Officer have submitted that there is no entry of the application dated 23.03.2014 (Annexure-6) submitted by the applicant to the Director of Public Health Department, Mumbai through the Civil Surgeon, Latur has been

recorded in the inward register either on 23.03.2014 or prior to it or thereafter. Moreover, admittedly, on 23.03.2014 there was Sunday. Hence, no correspondence was recorded in the inward and outward registers on that day.

3. At the request of learned Presenting Officer, S.O. to 16.03.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

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

**ORIGINAL APPLICATIN NO. 574/2017
(Dr. Santosh S. Vidhate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. Today, the learned Presenting Officer has placed on record a copy of order dated 21.02.2018 issued by the Desk Officer, State of Maharashtra cancelling the impugned order and granting study leave to the applicant as per the rules. He prayed to dispose of the present O.A. as purpose of filing the O.A. is served.

3. Learned Advocate for the applicant has submitted that the purpose of filing of the O.A. has been satisfied, since the impugned order has been cancelled by the respondents and study leave has been granted to the applicant and therefore, he prayed to dispose of the O.A. accordingly.

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O.A. No. 574/2017

4. In view of the submissions made by the learned Presenting Officer, the O.A. stands disposed of, since the purpose of filing of the O.A. has been served. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 13-03-2018

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

ORIGINAL APPLICATION NO. 738 OF 2017

[Shri Rajesh B. Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri (Dr.), Swapnil D. Tawshikar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Presenting Officer has filed separate affidavit in replies on behalf of respondent Nos. 2 & 3 and the same are taken on record and the copies thereof have been served on the learned Advocate for the applicant.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 1. Time granted.

4. S.O. to 27th March, 2018.

VICE CHAIRMAN

ORAL ORDERS 13.03.2018-HDD

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

ORIGINAL APPLICATION NO. 810 OF 2017

[Shri Shaligram M. Sonawane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Chief Presenting Officer for the respondents.

2. Learned Presenting Officer submits that presently the affidavit in reply of respondent Nos. 1 & 2 is not necessary. In the circumstances, affidavit of respondent No. 3 is already filed on record.

3. It is surprising to note that respondent No. 3 has merely filed affidavit in reply and not the documents supporting the case of the State Government that though many chances are/were granted to the present applicant to remain present in the Departmental Enquiry, he continued to remain absent and, therefore, the present order of his removal has been passed.

4. In the circumstances, learned Presenting Officer seeks time to take instructions from the respondent No. 3 in this regard and to file the copy of the record, if any of the D.E. At his request, S.O. to 17th April, 2018.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 38 OF 2018

[Shri Suresh D. Shirsat Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer, S.O. to 17th April, 2018 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS 13.03.2018-HDD

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

ORIGINAL APPLICATION NO. 68 OF 2018

[Shri Kishan D. Kadam Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 19th April, 2018 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS 13.03.2018-HDD

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

**O.A.NOS. 659, 695, 674, 779, 683, 700, 670, 671, 672, 675, 679,
680, 681 & 682 ALL OF 2017**

[Shri Rajesh B. Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for S/Shri S.S. Thombre, M.L. Muthal & A.R. Tapse, learned Advocates for the applicants in respective cases and S/Shri M.S. Mahajan, N.U. Yadav, M.P. Gude, D.R. Patil, I.S. Thorat & Mrs. Priya R. Bharaswadkar, Smt. Resha S. Deshmukh, Smt. Sanjivani Deshmuh-Ghate & Smt. Mrs. Deepali S. Deshpade, learned Chief Presenting Officer & learned Presenting Officers for the respective respondents in respective cases.

2. Learned Advocate for the applicants has filed on record true copy of the decision of the Division Bench of the Hon'ble Bombay High Court Bench at Aurangabad in Writ Petition No. 978/2018 & group dated 21st February, 2018. In the writ petitions where under the order of the present Tribunal was challenged. The Hon'ble Division Bench of the High Court has dismissed the said writ petitions and directed that the present Tribunal shall heard and decide the O.As. by the end of March, 2018 (page-48 of the

said judgment). The copy of the judgment of the Hon'ble High Court in W.P. No. 978/2018 & group is taken on record and marked as document 'X' for identification purpose.

3. In view of the non-availability of the Division Bench, the office is directed to place the present Original Applications before the Hon'ble Chairman for necessary decision/constitution of the Bench.

4. In the meantime, S.O. to 20th March, 2018.

VICE CHAIRMAN

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

M.A.NO. 446/12 IN C.P.ST. 1507/12 IN O.A. 239/98
[Shri Pawan A. Landge Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. It appears from the proceedings that the affidavit in rejoinder has already been filed on record. In view thereof, the present case be placed before the Division Bench for hearing.

3. S.O. to 10th April, 2018.

VICE CHAIRMAN

ORAL ORDERS 13.03.2018-HDD

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

M.A.NO. 69/2018 IN O.A.NO. 678/2017

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

Shri R.N. Chavan, learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

2. Perused the order dated 27.02.2018 passed by this Tribunal in O.A. No. 678/2017. Before issuing any notice, the applicant is directed to satisfy the query regarding applicability of the Government Resolution as illustrated in the order passed in O.A. No. 678/2017 dated 27.02.2018.
3. S.O. to 3rd April, 2018 for satisfying the above query.

VICE CHAIRMAN

ORAL ORDERS 13.03.2018-HDD

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

M.A.NO. 283/2016 IN O.A.ST.NO. 1167/2016

[Shri Sudhakar M. Davkare Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri N.S. Choudhary, learned Advocate for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 6 and Shri D.P. Bakshi, learned Advocate for respondent No. 7.

2. S.O. to 9th April, 2018.

VICE CHAIRMAN

ORAL ORDERS 13.03.2018-HDD

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

ORIGINAL APPLICATION NO. 295 OF 2003

[Shri Pradeep S. More & 20 Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed on record a copy of decision in the Writ Petition No. 4676 of 2007 dated 20.02.2018, a copy of which is taken on record and marked as document 'X' for the purpose of identification. He submits that in fact the claim in the present Original Application is same involved in the said O.A. and said claim was ultimately negated by the Hon'ble High Court. However, he seeks time to find as to what course of action is later on taken by the respondents therein. At his request S.O. to 27th April, 2018.

VICE CHAIRMAN

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

M.A.NO. 64/2017 IN O.A.ST.NO. 100/2017

[Shri Milind V. Sonkamble Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : M.T. JOSHI, VICE CHAIRMAN

DATE : 13.03.2018.

ORAL ORDER :

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

2. Both the sides submit that the Writ Petition challenging the similar relief granted by this Tribunal in another O.A. is already dismissed by the Hon'ble Division Bench of the Bombay High Court Bench at Aurangabad on 6th February, 2018. The copy of the said decision in Writ Petition No. 10060/2017 is filed on record and the same is taken on record and marked as Exh. 'X' for the purpose of identification. Learned Presenting Officer, therefore, seeks time to take instructions from the concerned respondents regarding the compliance of the order in the present O.A. Time granted.

3. S.O. to 18th April, 2018 for taking instructions on the above line.

4. Learned Presenting Officer to act on steno copy.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 706 OF 2017

[Shri Sadashiv Y. Naik Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri Vinod M. Vibhute, learned Advocate holding for Shri B.M. Dhanure, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. S.O. to 2nd April, 2018.

MEMBER (J)

ORAL ORDERS 13.03.2018-HDD

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

ORIGINAL APPLICATION NO. 763 OF 2017

[Shri Indurao B. Sarode Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 10th April, 2018.

MEMBER (J)

ORAL ORDERS 13.03.2018-HDD

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

ORIGINAL APPLICATION NO. 776 OF 2017

[Moni V. Varghese Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 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 10th April, 2018.

MEMBER (J)

ORAL ORDERS 13.03.2018-HDD

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

ORIGINAL APPLICATION NO. 809 OF 2017

[Shri Ganesh T. Sable Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Heard Smt. Amruta Paranjape, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 6th April, 2018 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 13.03.2018-HDD

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

ORIGINAL APPLICATION NO. 847 OF 2017

[Shri Ashok D. Bagal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 21st March, 2018. Interim relief granted earlier to continue till then.

MEMBER (J)

ORAL ORDERS 13.03.2018-HDD

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

ORIGINAL APPLICATION NO. 715 OF 2017

[Dr. Arun R. Ingle Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

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 Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 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 23rd March, 2018.

MEMBER (J)

ORAL ORDERS 13.03.2018-HDD

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

M.A.NO. 395/2017 IN O.A.ST.NO. 1438/2017

[Mohd. Suleman Abdul Gani Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 10th April, 2018.

MEMBER (J)

ORAL ORDERS 13.03.2018-HDD

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

M.A.NO. 32/2018 IN O.A.NO. 49/2018

[Shri Ravindra V. Sapkale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. Issue notices to the respondents in M.A. No. 32/2018, returnable on 18th April, 2018.

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

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

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

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

7. S.O. to 18th April, 2018.

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

MEMBER (J)

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

ORIGINAL APPLICATION NO. 652 OF 2016

[Shri Bhimraj R. Thorat Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

Shri H.U. Dhage, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, present.

2. It appears from the proceeding that on the last date i.e. on 14.02.2018 nobody was present for the applicant. However, on the said date this case was adjourned to today's date i.e. 13.03.2018 for passing dismissal order. However, today also none appears for the applicant.

3. In view of the above position, it appears that the applicant is not interested in prosecuting the present case and hence, the same is dismissed in default with no order as to costs.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 846 OF 2016

[Shri Kishor A. Bagul Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.03.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 17th April, 2018.

MEMBER (J)

ORAL ORDERS 13.03.2018-HDD