

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 20.02.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 6.4.2018.

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 the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. Unless there exists reason or cause to deny and refuse applicant's claim, the same be considered and decided before the next date. If there be any reason justifying delay or refusal, affidavit showing the grounds, facts and reasons be filed on the next date i.e. on 6.4.2018.

8. S.O.to 6.4.2018.

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

CHAIRMAN

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

**ORIGINAL APPLICATION NO. 217 OF 2016
(Tanuja d/o Ravindra Patil @ Sau. Tanuja w/o Uday Patil V/s. State of
Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 20.02.2018

ORAL ORDER :

None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondent nos. 1 to 3 and Shri J.S. Deshmukh, learned Advocate for respondent no. 4, are present.

2. In view of absence of applicant and her learned Advocate, S.O. to 1.3.2018.

CHAIRMAN

ARJ ORAL ORDERS 20-02-2018 HON. CHAIRMAN

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

**ORIGINAL APPLICATION NO. 429 OF 2017
(Shri Krushna L. Basar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
(D.B. Matter)**

DATE : 20.02.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant prays for leave to substitute the O.A., i.e. synopsis, memo, annexures etc. and thereby to substitute the entire O.A.

3. Leave to substitute the entire paper book of O.A. is granted.

4. Affidavits in reply filed by the respondents earlier be struck off. Entire paper book of O.A. on record except farads etc. be removed and kept in office record (second part).

5. The respondents have liberty to file fresh affidavit in reply to the substituted O.A.

6. In so far as the interim relief is concerned, admittedly the applicant had applied for verification / scrutiny of sports certificate, much after the publication of recruitment notification. In this view of the matter, it is not necessary to keep one post vacant, and it is hereby directed that the respondents shall require to create one supernumerary post, in the

event the applicant succeeds and respondents are directed to take a note of this direction.

7. The substituted O.A. to come up for hearing on 6.4.2018.

CHAIRMAN

ARJ ORAL ORDERS 20-02-2018 HON. CHAIRMAN

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

**C.P. 19/2017 IN O.A. 522/2000
C.P. 20/2017 IN O.A. 718/1998
C.P. 21/2017 IN O.A. 1203/1999
C.P. 22/2017 IN O.A. 717/1998
C.P. 23/2017 IN O.A. 492/2002
C.P. 24/2017 IN O.A. 493/2002
C.P. 25/2017 IN O.A. 525/2002
C.P. 26/2017 IN O.A. 705/1996
C.P. 27/2017 IN O.A. 682/1996
C.P. 28/2017 IN O.A. 718/1996**

(Shri Valmik N. Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
(D.B. Matters)**

DATE : 20.02.2018

ORAL ORDER :

Heard Shri M.H. Patil, learned Advocate for himself and Smt. Vidya Taksal, holding for Shri A.S. Deshmukh, learned Advocates for the applicants in respective matters and S/shri M.S. Mahajan, N.U. Yadav, M.P. Gude, V.R. Bhumkar, Smt. Resha S. Deshmukh & Smt. Deepali S. Deshpande, learned Chief Presenting Officer & Presenting Officers for the respective respondents in respective matters.

2. At the request of learned C.P.O. & P.Os. S.O. to 6.4.2018.

CHAIRMAN

ARJ ORAL ORDERS 20-02-2018 HON. CHAIRMAN

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

**M.A. 31/2017 IN CP ST. 77/2017 IN O.A. 500/2014
(Shri Dattatraya B. Parte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
(D.B. Matter)**

DATE : 20.02.2018

ORAL ORDER :

None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 1.3.2018.

CHAIRMAN

ARJ ORAL ORDERS 20-02-2018 HON. CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.416/2016
(Shri Ramhari Gosavi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 20.02.2018

ORAL ORDER :

1. Shri M.B.Kolpe learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for respondents is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 01-03-2018.

YUK ORAL ORDER 20-02-2018 AHJ F

CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.534/2016
(Shri Lalu B. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 20.02.2018

ORAL ORDER :

1. Shri M.B.Kolpe learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 01-03-2018.

YUK ORAL ORDER 20-02-2018 AHJ F

CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.193/2017
(Shri Dnyaneshwar Sanap & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 20.02.2018

ORAL ORDER :

1. Heard Shri V.G.Pingle learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.
2. It is seen that the O.A. does not contain challenge to the recital adverse to applicant in impugned communication.
3. Thus applicant has failed to show that impugned communication is contrary to law or settled policy of State. Hence, O.A. has no merit and O.A. deserves to be dismissed.
4. At this stage learned Advocate for applicant states that:-
 - (a) Due to oversight challenge to adverse text contained in order had remained to be incorporated.
 - (b) Permission to withdraw the O.A. with liberty file fresh O.A. may be granted.
5. In view of prayer of learned Advocate for applicant, O.A. is disposed of as withdrawn with liberty to file fresh O.A. for same relief with suitable pleadings and prayers.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.No.11/2017 in O.A.No.918/2010
(Smt. Gayabai Pokale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

1. Shri M.S.Bhosle learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 06-04-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.No.12/2017 in O.A.No.46/2015
(Shri Nikhil Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

1. Heard Shri R.P.Bhumkar learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.
2. Learned Advocate for the applicant prays for leave to amend the O.A. and add present incumbent holding the post of Joint Director of Accounts and Treasuries, as contemnor and add essential averments.
3. Leave to amend as prayed for is granted.
4. S.O. to 01-03-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.No.14/2017 in O.A.No.176/2017
(Shri Jalindhar Ubale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

1. Heard Shri S.G.Dhumak learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. At the request of learned Advocate for the Applicant, S.O. to 06-04-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.No.15/2017 in O.A.No.554/2013
(Dr. Ashok Biradar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 01-03-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.No.16/2017 in O.A.No.396/1998
(Shri Chandulal Sheth V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

1. Heard Shri N.S.Salunke learned Advocate holding for Shri Girish Nagori learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 06-04-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.No.18/2017 in O.A.No.801/2015
(Smt. Yasmin Hashmi w/o. Vasim Hashmi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

1. Heard 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 Presenting Officer, S.O. to 01-03-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.St.No.132/2018 in O.A.No.468/2017
(Smt. Meena M. Sure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

1. Shri S.D.Joshi learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for respondents is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 06-04-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.St.No.133/2018 in O.A.No.467/2017
(Smt. Sharmila Nikale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

1. Shri S.D.Joshi learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 06-04-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**C.P.No.17/2017 in O.A.No.63/2015
(Shri Saylu Navod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench
due to non-availability of Division Bench)

DATE : 20.02.2018

ORAL ORDER :

1. Shri S.D.Joshi learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. In view of absence of learned Advocate for the applicant, S.O. to 06-04-2018.

CHAIRMAN

YUK ORAL ORDER 20-02-2018 AHJ F

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

**ORIGINAL APPLICATION NO. 760 OF 2017
(Shri Jeetesh A. Jangale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

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

Time granted.

3. S.O. to 27.03.2018.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 709 OF 2017
(Shri Ramesh M. Sonawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. Issue fresh notice to the respondent No. 1, returnable on 12.03.2018.

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

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

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

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

7. S.O. to 12.03.2018.

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

MEMBER (A)

VICE CHAIRMAN (J)

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

**ORIGINAL APPLICATION NO. 702 OF 2017
(Shri Sachin A. Bachkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

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

3. S.O. to 19.03.2018.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 37 OF 2017
(Shri Balasaheb N. Raut & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks
time to file rejoinder affidavit. Time granted.

3. S.O. to 15.03.2018.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 379 OF 2016
(Shri Arun P. Nagrik & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing as and when Division Bench is available.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 362 OF 2016
(Shri Pratap V. Rathod & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard Shri Y.P. Deshmukh, 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 as and when Division Bench is available.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 211 OF 2016
(Smt. Jayshri N. More & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. It transpires from the proceedings that the affidavit in reply has already been filed on behalf of respondent Nos. 1 to 4. No rejoinder affidavit is filed by the learned Advocate for the applicant.

3. Since, the pleadings are complete, the O.A. is admitted and it be kept for final hearing as and when Division Bench is available.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 27 OF 2016
(Dr. Mulla Misbah Farheen V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Smt. Suchita A. Dhongde-Upadhya, learned Advocate for the applicant and Shri. M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 08.03.2018.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

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

**ORIGINAL APPLICATION NO. 86 OF 2018
(Shri Balaji M. Bodke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. The applicant has applied for the post of Clerk. Admittedly, the applicant got 88 marks. Earlier the applicant has claimed benefit of the G.R. dated 21.05.2010. Learned Advocate for the applicant however, frankly admits that the said G.R. for concession of 10 marks is not applicable to his case. The benchmark for the selection is 90 marks and admittedly, the applicant got only 88 marks. Therefore, the claim of the applicant has rightly been rejected by the competent authority and we do not find reason to interfere in the decision taken by the competent authority. There is no arbitrariness or mala-fides in the decision taken by the competent authority.

3. Hence, the O.A. stands dismissed with no order as to costs.

MEMBER (A)

VICE CHAIRMAN (J)

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

**M.A. No. 474/2017 in O.A. St. No. 1728/2017
(Dr. Meena Ramchandra Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. There is a delay of 5 years and 8 months in filing the accompanying O.A. In the interest of justice and equity, the said delay is condoned and the M.A. No. 474/2017 stands disposed of with no order as to costs.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

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

**O.A. St. No. 1728/2017
(Dr. Meena Ramchandra Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. In the Original Application, the applicant is claiming declarations as under:-

“B. By order or directions it may be declared that the applicant is deemed permanent after completing three year continuous service after her selection by MPSC and she is eligible for all benefits attached to post of medical officer.

C. By order or directions by this Tribunal it may be declared that the probation period of the applicant is deemed to have terminated after 27th October 2000 as stated in the letter dated 12.10.2010 of the applicant.

D. Pending hearing and final disposal of this Original Application the respondent No. 1 and 2 may be directed to take decision on the proposal submitted by the respondent No. 3 for termination of probation period of the applicant.”

3. Learned Advocate for the applicant submits that he has applied for relief in view of the order

2011 itself and the proposal for taking necessary decision on his representation has been submitted to the Director, Directorate of Public Health, Mumbai. However, no decision has yet been taken on the said recommendation. Learned Advocate for the applicant has submitted that without going in to the merit of the O.A., the same may be disposed of by issuing direction to the Director, Directorate of Public Health, Mumbai to take decision on the recommendation of the Deputy Director of Public Health, Latur within a stipulated period.

4. In view of this, the O.A. stands disposed of with a direction to the respondent No. 2 i.e. Director, Directorate of Public Health, Mumbai to take decision on the recommendation submitted by the Deputy Director of Public Health, Latur within a period of two months from the date of this order. The said decision shall be taken on merit as per the rules and regulations and the same shall be communicated to the application in writing.

MEMBER (A)

VICE CHAIRMAN (J)

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

C.P. No. 15/2014 in O.A. No. 1128/1999
(Shri Ravannath R. Landge V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)

DATE : 20.02.2018.

ORAL ORDER :

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

2. The learned Presenting Officer has filed sur-rejoinder affidavit in reply to the rejoinder affidavit of the applicant. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Advocate for the applicant has invited our attention to the G.R. dated 05.06.1992. He submitted that as per the said G.R. the Trained Graduate Teachers should have been granted pay scale of Rs. 2000-3500 and admittedly, this pay scale is not granted to the applicant. The respondents are therefore, directed to file short affidavit on following points:-

//2// C.P. No. 15/2014 in
O.A. No. 1128/1999

- i. Is it a fact that the applicant is a Trained Graduate Teacher.
 - ii. What is the pay scale applicable to the Trained Graduate Teachers as per the G.R. dated 05.06.1992.
 - iii. Whether the arrears have been paid as per the order passed by this Tribunal in O.A. No. 1128/1999 to the applicant and if not, within how many days the arrears will be paid.
4. At the request of learned Presenting Officer,
S.O. to 16.03.2018 for filing short affidavit.

MEMBER (A)
Kpb ORAL ORDERS 20-02-2018

VICE CHAIRMAN (J)

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

**C.P. No. 13/2017 in O.A. No. 02/2017
(Shri Dattatraya K. Ubale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. In this Contempt Petition, the applicant is claiming noncompliance of the order in O.A. No. 02/2017 passed on 02.08.2017. As per the paragraph No. 4 of the said order, the respondent No. 4 i.e. the Regional Inquiry Officer, Collector Office, Aurangabad was directed to complete the departmental enquiry at the earliest and in any case within a period of three months from the date of order.

3. Admittedly, the respondent No. 4 has completed the enquiry within a stipulated period and has complied with the order of this Tribunal. It is however stated that the respondent No. 1 i.e.

//2//

C.P. 13/2017 in
O.A. 02/2017

the competent authority has not yet taken any decision on the said enquiry report. In fact, the said action on the part of the respondent No. 1 is not the subject matter of this Contempt. However, in the interest of justice, the learned Presenting Officer is directed to take instructions from the respondent No. 1 as to within how many days the action will be taken on the enquiry report against the order.

4. S.O. to 23.02.2018.

MEMBER (A)
Kpb ORAL ORDERS 20-02-2018

VICE CHAIRMAN (J)

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

**ORIGINAL APPLICATION NO. 570 OF 2016
(Shri Kamlakar P. Jaybhaye V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
&
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. The applicant is claiming promotion to the post of Head Constable and it is his grievance that his juniors have been promoted and his claim was not considered.

3. In the affidavit in reply of respondents, it is stated that the applicant's claim for promotion was considered by the D.P.C. of 29.08.2011, 8.10.2012, 05.05.2014 and in these D.P.C. the applicant was found unfit. In the 4th D.P.C. of 26.08.2015, however the applicant was found fit on certain conditions.

4. Learned Advocate for the applicant submits that he may be permitted to challenge those

decisions, whereby the applicant has been found unfit. Since he has received knowledge of said decisions after filing of the affidavit in reply by the respondents and therefore, he seeks two weeks' time to file amendment application.

5. In view of this, S.O. to 08.03.2018 for filing amendment application.

MEMBER (A)

VICE CHAIRMAN (J)

Kpb ORAL ORDERS 20-02-2018

**SHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

ORIGINAL APPLICATION NO. 08 OF 2018

[Shri Devendra S. Jade Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard Smt. Pratibha Bharad, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 22.03.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

ORIGINAL APPLICATION NO. 19 OF 2018

[Shri Sayyad Asad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 22.03.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

M.A.NO. 425/2017 IN O.A.NO. 659/2014

[Shri Sachin R. Kasar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 12.03.2018.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

ORIGINAL APPLICATION NO. 916 OF 2017

[Shri Shriniwas P. Shreshtha Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file affidavit in reply. At the request of both the parties, S.O. to 21.03.2018.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

M.A.NO. 473/2017 IN O.A.ST.NO. 1746/2017

[Smt. Sayeeda Begum Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard Smt. U.T. Pathan, learned Advocate
for the applicant and Shri S.K. Shirse, learned
Presenting Officer for the respondents.

2. At the request of learned Presenting Officer
for the respondents, S.O. to 19.03.2018 for filing
affidavit in reply.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 24.03.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

M.A.NO. 01/2018 IN O.A.ST. 1965/2017

[Chkandrashekar M. Soman Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 24.03.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

M.A.NO. 12/18 WITH M.A.NO. 162/16 IN O.A. 152/2007
[Shri Vijaykumar B. Rathi Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard Tembhornikar, learned Advocate holding for Shri M.M. Bhokarikar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Learned Advocate Shri Tembhornikar submits that he will intimate Advocate Shri M.M. Bhokarikar about the matter and at his request the present case be kept on 22.02.2018.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

ORIGINAL APPLICATION NO. 437 OF 2015

[Shri Narayan G. Shegadewar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Shri N.B. Narwade, learned Advocate for the applicant (**absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, present.

2. The present case is of the year 2015. It be kept for passing necessary orders on 23.02.2018.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

O.A.NO. 443/2017 WITH O.A.NO. 178/2015

[Shri Ashok L. Shelke Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard S.R. Dheple, learned Advocate holding for Shri M.C. Ghode, learned Advocate for the applicants in both these cases and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents in both the cases.

2. At the request of learned Advocate for the applicant, S.O. to 22.02.2018.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

ORIGINAL APPLICATION NO. 596 OF 2015

[Shri Rajesh M. Nagargoje Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Shri Ganesh Gadhe, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri V.G. Pingle, learned Advocate for respondent No. 4, were present.

2. Learned Presenting Officer has filed additional affidavit in reply on behalf of respondent Nos. 2 & 3 as per the order dated 11.12.2017 and the same is taken on record.

3. Since nobody appeared for the applicant, the present case be kept on 23.02.2018 for passing necessary orders.

MEMBER (A)

VICE CHAIRMAN (J)

ORAL ORDERS 20.02.2018-HDD

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

M.A.NO. 475/2017 IN O.A. 224/2017

[Shri Devidas K. Taru Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard A.S. Shelke, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 & 2 and Ms. P.R. Wankhade, learned Advocate for respondent No. 3.

2. Respondent No. 3 has been appointed on the post of Lecturer during the pendency of the present OA. By virtue of this amendment the applicant wants to challenge the order of appointment of respondent No. 3. Amendment application seems to be out of subsequent events during the pendency of the O.A. and, therefore, with consent of the parties, the amendment application is allowed. The amendment be incorporated by tomorrow.

3. Accordingly, the present M.A. is disposed of with no order as to costs.

MEMBER (A)

VICE CHAIRMAN (J)

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

ORIGINAL APPLICATION 224 OF 2017

[Shri Devidas K. Taru Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard A.S. Shelke, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 & 2 and Ms. P.R. Wankhade, learned Advocate for respondent No. 3.

2. The respondents will be at liberty to file reply to the amended O.A. With consent of both the parties, the matter will be heard finally on 22.02.2018. The interim relief granted earlier to continue till then.

MEMBER (A) VICE CHAIRMAN (J)
ORAL ORDERS 20.02.2018-HDD

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

ORIGINAL APPLICATION 624 OF 2015

[Shri Sanjay B. Pande Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard M.R. Kulkarni, learned Advocate holding for Shri A.P. Basarkar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The applicant has filed the present Original Application for the direction for appointment to the post of Assistant Account Officer in view of the recruitment rules in pursuance of the advertisement dated 28.01.2015 initiated by respondent No. 5.

3. Learned Advocate for the applicant submits that during the pendency of the present O.A., the applicant has been given appointment to the post for which he was seeking appointment.

4. In view of the aforesaid submission made on behalf of the applicant, nothing survives in the present Original Application and, hence the same is disposed of with no order as to costs.

MEMBER (A) VICE CHAIRMAN (J)
ORAL ORDERS 20.02.2018-HDD

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

M.A.NO. 468/2017 IN O.A.ST.NO. 1689/2017

[Shri Nagnath G. Savant & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicants submits that the applicants are claiming direction that the impugned communication dated 8.11.2016, issued by respondent No. 1 on the basis of the communication dated 10.2.2016, issued by respondent No. 2, to the extent of allotting merit position No. 2 to respondent No. 3, be quashed and set aside. All the applicants are claiming similar relief and the cause of action is also same. The application for sue jointly is, therefore, allowed in the interest of justice and in order to avoid multiplicity of proceeding with direction to pay requisite court fees. The office shall register the accompanying Original Application.

MEMBER (A) VICE CHAIRMAN (J)
ORAL ORDERS 20.02.2018-HDD

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

ORIGINAL APPLICATION ST.NO. 1689 OF 2017

[Shri Nagnath G. Savant & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 22.03.2018.

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.

O.A. ST.NO. 1689 OF 2017

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. S.O. to 22.03.2018.

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

MEMBER (A)

VICE CHAIRMAN (J)

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

M.A. 132/2017 IN C.P.ST. 397/2017 IN O.A. 539/2016
[Shri Amol K. Kakde & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN (J)
AND
P.N. DIXIT, MEMBER (A)**

DATE : 20.02.2018.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The applicants have filed the present contempt petition for non-compliance of the order passed in O.A. No. 539/2016 on 15.12.2016.

3. As per the order passed by this Tribunal, the respondents were directed to grant regular pay scale to the applicants from 15.12.2016 and it was stated that they would not be entitled to any monetary benefits for the past services rendered by them in spite of their regularization. It was stated that the order should be implemented w.e.f. 15.12.2016. Though the effect to the order was given from 15.12.2016, no specific date was given for compliance. After waiting for a requisite period, the applicant has filed the contempt petition. It is admitted fact that during the pendency of the contempt petition, the State has filed Writ Petition No. 11060/2017 before the Hon'ble Bombay High

**M.A. 132/17 IN C.P.ST.
397/17 IN O.A. 539/16**

Court Bench at Aurangabad and the Hon'ble High Court vide order dated 6.2.2018 has been pleased to dismiss the Writ Petition. The result is that the order passed by this Tribunal remains in force.

4. Learned Advocate for the applicant has placed on record the copy of the representation dated 14.02.2018, which is marked as document 'X' for the purpose of identification. From the said representation, it seems that the applicant has already requested the competent authority to take decision in view of the decision passed by this Tribunal on 15.12.2016. The respondents may take necessary decision on the said representation. In spite of such representation, if the order is not complied, the applicant will be at liberty to initiate action of contempt of court against the respondents.

5. In view thereof nothing survives in the M.A. No. 132/2017 and hence, the same is disposed of with no order as to costs.

MEMBER (A) **VICE CHAIRMAN (J)**
ORAL ORDERS 20.02.2018-HDD

FARAD CONTINUATION SHEET

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

**T.A. No. 04/2017 in W.P. No. 10375/2016
(Shri Ramesh B. Sonawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Shri P.D. Bachate, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

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

3. S.O. to 23.03.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 701/2017
(Dr. Pradip D. Mansapure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Shri J.S. Deshmukh, 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 21.03.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 901/2017
(Dr. Ashok R. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

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

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

3. S.O. to 21.03.2018. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 902/2017
(Dr. Rajeshwr S. Fuke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

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

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

3. S.O. to 21.03.2018. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 903/2017
(Dr. Vijaya R. Waikar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

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

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

3. S.O. to 21.03.2018. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

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

**ORIGINAL APPLICATION NOS. 155, 544, 545, 817, 820, 821 & 822 ALL OF 2016
(Dr. Seema a. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicants in all the cases, S/Shri V.R. Bhumkar, S.K. Shirse, N.U. Yadav, M.P. Gude and Smt. Resha Deshmukh, Smt. Sanjivani Ghate and Smt. Deepali S. Deshpande learned Presenting Officers for the respondent nos. 1 to 3 and Shri A.D. Aghav learned Advocate for respondent nos. 4 & 5 in O.A.Nos.817/16, 821/16 & 822/16, Shri S.R. Dheple learned Advocate for respondent no.4 and 5 in O.A.No.820/16 and Shri S.N. Rodge, learned Advocate for respondent nos. 5 and 6 in O.A.No.155/2016 and Shri Vivek Bhavthankar learned Advocate for respondent no. 5 O.A. No. 545/16. Shri K.U. More learned Advocate for respondent nos. 5 and 6 O.A.No. 544/16, is **absent.**

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 in O.A. Nos. 817/2016 & 822/2016. Same are taken on record and the copies thereof have been served on the learned Officer.

//2// O.A. Nos. 544/2016 & Ors.

3. Learned Advocate for respondent Nos. 4 and 5 in O.A. No. 545/2016 has filed affidavit in reply on behalf of respondent No. 5. Same is taken on record and the copy thereof has been served on other side.

4. After hearing the matters for considerable time, the same are closed for orders.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NOS. 754 OF 2017
(Shri Anil G. Tornekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicants in all these O.A. and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 22.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NOS. 755 OF 2017
(Shri Mohammad Abdul Sami V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicants in all these O.A. and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 22.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NOS. 756 OF 2017
(Shri Sunil M. Bandawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicants in all these O.A. and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 22.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NOS. 757 OF 2017
(Shri Haseeb Ur Rehman Khan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicants in all these O.A. and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 22.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 952/2017
(Shri Vilas G. Shirolkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, 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 21.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

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

**ORIGINAL APPLICATION NO. 816/2017
(Shri Maroti S. Burfule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

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

2. The applicant, who is Senior Assistant was transferred by order dated 07.08.2017 from Shri Chatrapati Shivaji Maharaaj Sarvopachar Rugnalaya, Solapur to Government Medical College and Hospital Aurangabad in place of Shri Tehare. However, vide order dated 24.10.2017, the said order was cancelled and the applicant was retained at Solapur. Being aggrieved by the cancellation of transfer order, the applicant has filed the present Original Application and he has requested that he be transferred at Aurangabad.

3. During pendency of the O.A., the Director, Medical Education and Research, Mumbai has taken a decision on 17.02.2018, whereby the

applicant has again being transferred to Aurangabad. Copy of the said decision is placed on record and marked as Exhibit 'X' for the purposes of identification.

4. In view thereof, the grievance of the applicant has been redressed and therefore, on the request of the learned Advocate for the applicant, the O.A. stands disposed of with no order as to costs.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

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

**M.A. No. 432/2017 in O.A. St. No. 1532/2017
(Shri Satilal Zaga Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

1. Heard Shri A.D. Sugdare – learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. This is an application filed by the applicant for condonation of delay of about 7 years caused in filing accompanying Original Application St. No. 1532/2017.

3. In the Original Application St. No. 1532/2017, the applicant has claimed deemed date of promotion to the post of Junior Engineer from the date of passing of the departmental examination i.e. from 01.02.1991. It is stated that there is a delay as the representations submitted by the applicant were pending before the respondent authorities and no decision has been taken on his representations.

4. Learned Advocate for the applicant submits that even if the directions are issued to the respondent authorities to take decision on his representations within a stipulated period, the entire Original Application can be disposed of.

5. Learned Advocate for the applicant also placed on record number of judgments passed by this Tribunal in the similar circumstances, wherein the delay has been condoned and directions were issued

to the respondent authorities and even the deemed date has been granted to the applicants therein.

6. Learned Presenting Officer also concedes with this position and agrees for such directions to the respondent authorities, if issued.

7. In view of the above position, the Miscellaneous Application as well as, Original Application can be disposed of. Hence, I pass the following order: -

ORDER

(i) The Miscellaneous Application No. 432/2017 stands allowed and delay of about 7 years caused in filing accompanying Original Application St. No. 1532/2017 is condoned.

(ii) Respondent No. 1 is directed to take appropriate decision as may be deemed fit in the circumstances on the various representations filed by the applicant as regards his deemed date of promotion.

(iii) Such decision shall be taken within a period of 3 months from the date of this order and the same shall be communicated to the applicant in writing.

(iv) With the above directions the Original Application St. No. 1532/2017 also stands disposed of.

There shall be no order as to costs.

VICE CHAIRMAN (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 611/2017
(Shri Nagnath G. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

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

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

3. S.O. to 20.03.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 910/2017
(Shri Subhash S. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

Shri R.B. Ade, 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 06.03.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 333/2017 in O.A. St. No. 1192/2017
(Shri Mahadev S. Gulmire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : J.D. KULKARNI, VICE CHAIRMAN.

DATE : 20.02.2018.

ORAL ORDER :

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

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

3. S.O. to 20.03.2018.

VICE CHAIRMAN

KPB ORAL ORDER 20-02-2018