

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

**ORIGINAL APPLICATION NO. 66/2018
(Dnyeneshwar P. Kadam 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 : 02.02.2018

ORAL ORDER :

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

2. From hearing both the sides, it appears that only fault of the applicant is that he failed to comply with the requirement of res. no. 2 M.P.S.C. made in para 2 of communication dtd. 23.1.2018 (Annex. A. 8 page 33) that the verification of the sports certificate is required to be made again in the light of new provisions, though the applicant's sports certificate might have been verified during the earlier advertisement process as can be seen from paper book page 25.

3. Issue notices to the respondents in the present O.A., returnable on 27.2.2018.

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

5. 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.

6. 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.

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

8. S.O. to 27.2.2018.

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

VICE CHAIRMAN

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

**C.P.No.03/2017 in O.A.No.830/2015
(Dr. BalajiManoorkar 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 tonon-availability of Division Bench)

DATE : 02.02.2018

ORAL ORDER :

1. Heard Shri K.G.Salunke learned Advocate for the applicant and Shri M.P.Gudelearned Presenting Officer for respondents is present.
2. Learned P.O. states that State has filed W.P. challenging the order passed in O.A. and prays to adjourn the hearing.
3. Learned P.O. is unable to assign any reason for which hearing be adjourned.
4. In view of request of learned Presenting Officer, S.O. to 05-11-2018 with liberty to circulate before due date, if occasion arises.

CHAIRMAN

YUK ORAL ORDER 02-02-2018 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 tonon-availability of Division Bench)

DATE : 02.01.2018

ORAL ORDER :

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

2. Learned P.O. states on instructions that the stage of conducting medical examination of the applicant and said report may be completed today itself.

3. Hence, S.O. to 12-02-2018.

CHAIRMAN

YUK ORAL ORDER 22-01-2018 AHJ F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.589/2017
(Kailas PandurangWavalV/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate for the applicant and Shri M.P.Gudelearned Presenting Officer for respondents is present.

2. At the request of learned Advocate for the applicant, S.O. to 14-03-2018 for filing affidavit in rejoinder. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 02-02-2018CV F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.631/2016
(VaidyaUjjwala d/o AshokraoJadhaoV/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

Heard Shri TukaramVenjane learned Advocate for the applicant and Smt. ReshaDeshmukhlearned Presenting Officer for respondents is present.

2. At the request of learned Advocate for the applicant, S.O. to 27-02-2018 for final hearing, as a last chance.

3. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 02-02-2018CV F

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

**ORIGINAL APPLICATION NO. 678/2017
(ShriMakarand 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 : 02.02.2018.

ORAL ORDER :

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

2. Learned Chief Presenting Officer has filed
affidavit in reply on behalf of respondent Nos. 2
to 4. Same is taken on record.

3. On last two occasions, the learned Advocate
for the applicant sought time to satisfy the query
raised by this Tribunal vide order dated
08.11.2017.

4. In the circumstances, as a last chance, S.O.
to 27.02.2018 for satisfying the query raised by
this Tribunal vide order dated 08.11.2017.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 719/2017
(ShriSainath 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 : 02.02.2018.

ORAL ORDER :

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

2. In view of leave note filed by the learned
Advocate for the applicant, S.O. to 12.03.2018.

VICE CHAIRMAN

KPB ORAL ORDER 02-02-2018

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

**ORIGINAL APPLICATION NO. 50/2018
(Dr. Yogesh 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 : 02.02.2018.

ORAL ORDER :

Dr. Yogesh U. Sathe, applicant in person is present and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of both the parties, S.O. to 12.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 02-02-2018

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

**M.A. No. 08/2018 in O.A. NO. 55/2017
(ShriNarsing 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 : 02.02.2018.

ORAL ORDER :

Shri P.B. Salunke, learned Advocate for the
applicant (**Absent**). Shri M.P. Gude, learned
Presenting Officer for respondents, present.

2. Notices not collected by the applicant. In
the circumstances, S.O. to 06.03.2018 for taking
steps for collections of notices.

VICE CHAIRMAN

KPB ORAL ORDER 02-02-2018

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

**C.P. St. No. 132/2018 in O.A. No. 468/2017 and C.P. St. No.
133/2018 in O.A. No. 467/2017
(Smt. Meena&Anr.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 : 02.02.2018.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants in both the matters and S/shri S.K. Shirse and Shri V.R. Bhumkar, learned Presenting Officers for the respective respondents in respective matters.

2. Learned Advocate for the applicant submits that the directions issued by the Hon'ble Chairman regarding filing of the Contempt proceeding are required to be waived.

3. At his request, the present matters be placed before the Hon'ble Chairman on 12.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 02-02-2018

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

**ORIGINAL APPLICATION NO. 395/2015
(ShriRajaram&Ors.V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018.

ORAL ORDER :

Shri R.R. Bangar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondents and Shri S.G. Kulkarni, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for respondent No. 7.

2. At the request of learned Advocate for the applicant, S.O. to 16.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 02-02-2018

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

**M.A. 259/2017 with M.A. St. 922/2017 with M.A. 213/2017 in O.A. 700/2012
(ShriAthroddin 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 : 02.02.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. For the reasons stated in the applications, the delay caused in filing application for restoration of the O.A. is hereby condoned, as well as the application for restoration of the O.A. No. 700/2012 is also allowed without any order as to costs. The M.A. No. 259/2017 and M.A. St. No. 922/2017 both are disposed of.

4. In view of disposal of M.A. No. 259/2017 and M.A. St. No. 922/2017 today itself, nothing survives in M.A. No. 213/2013 and the same is also disposed of without any order as to costs.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 700 OF 2012
(ShriAthroddin 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 : 02.02.2018.

ORAL ORDER :

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

2. S.O. to 06.03.2018.

VICE CHAIRMAN

KPB ORAL ORDER 02-02-2018

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

**ORIGINAL APPLICATION NO. 31/2018
(Dattatraya N. TrimukheV/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 : 02.02.2018

ORAL ORDER :

Heard Shri R. D. Khadap, learned Advocate
for the applicant and Smt. Priya R. Bharaswadkar,
learned Presenting Officer for respondents.

2. The learned Advocate for the applicant files on record the statement of account along with copies of judgments of Hon'ble High Court and other documents. The same are taken on record and marked as document 'X collectively' for the purpose of identification and copies thereof are supplied to the learned P.O. At the request of learned Advocate for the applicant, S.O. to 5.2.2018 for hearing on the point of grant of interim relief and issuing notices to the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 02-02-2018

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

**ORIGINAL APPLICATION NO. 64/2018
(Bhagwan S. Chavan 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 : 02.02.2018

ORAL ORDER :

Heard Shri S.G. Magare, learned Advocate holding for Shri M.D. Godhamgaonkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. It appears that the present O.A. is premature as now only show cause notice is issued after conclusion of the Departmental Enquiry and report from the Enquiry Officer. The learned Advocate for the applicant is, therefore, directed to make the submissions as to how the present O.A. would be tenable. At his request S.O. to 14.2.2018 for making his submissions.

VICE CHAIRMAN

ARJ ORAL ORDERS 02-02-2018

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

**ORIGINAL APPLICATION NO. 65/2018
(Shivkanya R. Chopde 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 : 02.02.2018

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that the concerned respondents have prepared a waiting list for promotion. According to established rules, however, no waiting list can be prepared for promotion.

3. In the circumstances to find out as to whether any new guidelines are issued for preparation of waiting list for promotion, the learned C.P.O. to take instructions from the concerned respondents in this regard and to file G.R. / circular, if any, in this regard on 26.2.2018. At his request S.O. to 26.2.2018 for above compliance.

4. In the meantime no promotions from the impugned waiting list prepared for promotion shall be made by the concerned respondents.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 02-02-2018

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

**ORIGINAL APPLICATION ST. NO. 1552/2017
(Basling K. Mathpati 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 : 02.02.2018

ORAL ORDER :

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

2. None appeared for the applicant in the present matter for last more than 2 dates since 24.11.2017. In the circumstances, in the interest of justice, S.O. to 13.3.2018 with a caveat that, in case no steps are taken by the applicant by that time, the present O.A. shall stand dismissed automatically without reference to the Tribunal.

VICE CHAIRMAN

ARJ ORAL ORDERS 02-02-2018

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

**ORIGINAL APPLICATION NO. 940/2018
(Chandrashekhar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

Heard ShriSudhirPatil, 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 issues raised in the present matter are similar to the O.A. nos. 875 & 878/2017, wherein notices are issued and those are now kept for filing affidavit in replies of the respondents on 9.2.2018. In the circumstances, S.O. to 9.2.2018 for keeping along with above mentioned O.As.

VICE CHAIRMAN

ARJ ORAL ORDERS 02-02-2018

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

**M.A. 33/2018 WITH O.A. ST. 1844/2017
(Akshay V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

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

2. Issue notices to the respondents in the present M.A. and O.A., returnable on 7.3.2018.

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. & 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 7.3.2018.

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 ST. NO.121/2018
(KalpanaV/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant submits that separate M.A. for condonation of delay caused in filing the present O.A. is required to be filed. At his request S.O. to 9.2.2018 for filing separate M.A. for condonation of delay.

VICE CHAIRMAN

ARJ ORAL ORDERS 02-02-2018

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

**ORIGINAL APPLICATION NO. 23/2017
(Bandu B. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant files on record communication from Accountant General sent to the res. no. 3. 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. In the circumstances, at the request of learned P.O. S.O. to 27.2.2018 for taking instructions from the respondents as to what further steps are to be taken in this regard.

3. Steno copy allowed for the use of learned P.O.

VICE CHAIRMAN

ARJ ORAL ORDERS 02-02-2018

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

**ORIGINAL APPLICATION NO. 593/2017
(Giridhar P. Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

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

2. The learned C.P.O. submits that there are no instructions from the respondents on the line of order dtd. 21.12.2017 passed by the Tribunal. It appears that the said order dtd. 21.12.2017 passed by the Tribunal is speaking order giving reasons to take steps. As per the order of Hon'ble High Court in W.P. no. 2136/2011 filed by Shri Shrikant Chandrakant Saindane Vs. the State of Maharashtra & Ors. along with other W.Ps. dated 25.8.2011 the respondents are bound to take action. However, according to learned C.P.O. the G.R. dtd. 5.11.2009 is preventing them to take action in this regard. The respondents failed to understand that

the disputed condition no. 7 of the G.R. 5.11.2009 (page 62) is already declared to be unreasonable and struck of.

3. In that view of the matter, I pass the following order :-

ORDER

(i) The original application is allowed without any order as to costs in terms of prayer clause (A), which reads as under :-

“(A) This original application may kindly be allowed thereby directing the respondents in general and the respondent no. 3 in particular to forthwith relieve the applicant from his present post of PSI for joining on the promotional post of API in pursuance to the promotion order dtd. 7.1.2017 (Annex. A.1) issued by respondent no. 2.”

(ii) This order be complied with by the respondents within a period of 2 weeks from the date of this order.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 290/2017
(Sanjay ShamraoMaske V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

Heard ShriRajendraGodbole, learned Advocate for the applicant and ShriV.R. Bhumkar, learned Presenting Officer for respondents.

2. Upon hearing both the sides, it appears that the impugned order of transfer dtd. 5.5.2017 was stayed by the Tribunal earlier. Now the applicant would be completing 3 years at the present post very soon i.e. in the month of May / June, 2018.

3. In the circumstances, without going into the merit of the present O.A., the same is disposed of without any order as to costs and the impugned transfer order dtd. 5.5.2017 is hereby quashed and set aside.

The applicant shall be posted at the present post at Dhule with liberty to the respondents to take action regarding the transfer of the applicant in the annual general transfers of the year 2018 as per law & rules.

VICE CHAIRMAN

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

**M.A. 25/2015 IN O.A. 918/2017
(ShaikhSadik V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.02.2018

ORAL ORDER :

Heard ShriVinayakPatnoorkar, learned Advocate for the applicant and ShriS.K. Shirse, learned Presenting Officer for respondents.

2. The learned P.O. files on record communication dtd. 1.2.2018 received to him from the respondents and the same is taken on record and marked as document 'X' and copy thereof has been served upon the learned Advocate for the applicant. Para 6 of the said communication would show that the concerned respondent has processed the matter. It is expected that the amount itself would be received to the applicant either on 5th or 6th February, 2018. In the circumstances, S.O. to 7.2.2018 for monitoring the progress.

VICE CHAIRMAN

ARJ ORAL ORDERS 02-02-2018

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

C.P.ST. 1961/2017 IN O.A.NO. 57/2016

[ShriRavindra D. Thakur Vs. State of Maharashtra & Others]

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 : 02.02.2018.

ORAL ORDER :

ShriS.R. Barlinge, learned Advocate for the applicant (**absent**).Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. S.O. to 27.02.2018 for hearing on the office objection/s.

VICE CHAIRMAN

ORAL ORDERS02.02.2018-HDD

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

ORIGINAL APPLICATION NO. 307 OF 2016

[Dr. Namdeo R. Pawar Vs. State of Maharashtra & Others]

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 : 02.02.2018.

ORAL ORDER :

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

2. Learned Presenting Officer submits that the papers are misplaced. In the circumstances, at his request, S.O. to 21st February, 2018 for compliance of the earlier order dated 29.08.2017, as well as, for hearing on admission.

VICE CHAIRMAN

ORAL ORDERS02.02.2018-HDD

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

C.P.ST. 1643/17 IN C.P.ST.1812/15 IN O.A.NO. 142/2013

[Dr. Jeevansingh D. TajiVs. State of Maharashtra & Others]

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 : 02.02.2018.

ORAL ORDER :

Heard ShriV.B.Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learnedChiefPresenting Officer for the respondents.

2. Learned Advocate for the applicant has filed short affidavit along with Annexures and the same is taken on record and the copy thereof has been served on the learned Chief Presenting Officer. He submits that in fact, Deputy Director or Director from the Health Directorate had no power to decide the issue as has been decided by the Annexure 'A-1' annexed to the present short affidavit. He further submits that in fact, the proposal ought to have been sent to the State Government. At the time of decision in the earlier M.A., the present applicant was under impression that the Directorate would act according to this procedure and, therefore, the applicant has conceded for disposal of the earlier M.A. However, now the decision unauthorizedly is taken by the Joint Director.

3. Learned Chief Presenting Officer seeks time to file short affidavit in reply to the present short

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**C.P.ST. 1643/17 IN C.P.ST.1812/15
IN O.A.NO. 142/2013**

affidavit filed by the applicant, explaining all above facts.

4. S.O. to 1st March, 2018.
5. Learned Chief Presenting Officer for the respondents to act upon steno copy.

VICE CHAIRMAN

ORAL ORDERS02.02.2018-HDD

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

ORIGINAL APPLICATION NO. 70 OF 2017

[ShriRajaram S. ShendgeVs. State of Maharashtra & Others]

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 : 02.02.2018.

ORAL ORDER :

Heard Smt. AshwiniSahasrabudhe, learned Advocate holding for ShriAvinashDeshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer prays for time for filing affidavit in reply to the amended O.A. Time granted.

3. S.O. to 5th March, 2018 for filing affidavit in reply to the amended O.A.

VICE CHAIRMAN

ORAL ORDERS02.02.2018-HDD

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

ORIGINAL APPLICATION NO. 153 OF 2017

[Dr. Ramnath B. HemkeVs. State of Maharashtra & Others]

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 : 02.02.2018.

ORAL ORDER :

Heard ShriJ.S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3 & 6 and Shri A.D. Aghav, learned Advocate for respondent Nos. 4 & 5

2. It appears from the proceedings that additional affidavit in reply on behalf of respondent No. 4 in terms of the order dated 8.11.2017 has already been filed on record on 13.12.2017 and the copy thereof has been served on the learned Advocate for the today itself.

3. S.O.to 5th February, 2018 for hearing on the issue raised by the said order dated 8.11.2017.

VICE CHAIRMAN

ORAL ORDERS02.02.2018-HDD

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

ORIGINAL APPLICATION NO. 226 OF 2017

[ShriBaliram S. KakadeVs. State of Maharashtra & Others]

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 : 02.02.2018.

ORAL ORDER :

Heard ShriD.P.Sathe, learned Advocate holding for Shri K.M. Nagarkar, 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 & 3 to 5 along with Exhibits and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. S.O. to 6.3.2018 for hearing on admission.

VICE CHAIRMAN

ORAL ORDERS02.02.2018-HDD

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

ORIGINAL APPLICATION NO. 412 OF 2017

[ShriPrashant R. ShelkeVs. State of Maharashtra & Others]

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 : 02.02.2018.

ORAL ORDER :

Heard ShriA.B.Jagtap, learned Advocate for the applicant and Shri M.S. Mahajan, learnedChiefPresenting Officer for the respondent Nos. 1 to 3.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. It appears from the proceedings that affidavit in reply on behalf of respondent No. 3 has already been filed on record.

4. None appears for respondent No. 4 and no affidavit in reply has been filed on his behalf.

5. S.O. to 23rd February, 2018, for hearing.

VICE CHAIRMAN

ORAL ORDERS02.02.2018-HDD

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

ORIGINAL APPLICATION NO. 622 OF 2017

[Sagar C. NemanеVs. State of Maharashtra & Others]

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 : 02.02.2018.

ORAL ORDER :

Heard ShriV.B.Wagh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 8th February, 2018 for hearing on the point of continuation of interim relief. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS02.02.2018-HDD

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

**C.P. NO.18/2017 IN O.A. NO. 801/2017
(Smt. YasminHashmi w/o VasimHashmi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 02.02.2018

ORAL ORDER :

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

2. The matter is taken on board in view of application of the learned P.O. for speaking to minutes to the order dated 1.2.2018.

3. The learned P.O. prays as follows :-

“That the para no. 2 of the order dated 1.2.2018 passed by the Tribunal be deleted, because scope of O.A. was limited for deciding leave period.”

4. The above request of the learned P.O. being reasonable, is granted.

5. Hence following order is passed :-

(a) The para no. 2 of the order dated 1.2.2018 be deleted.

(b) The para nos. 3 & 4 be renumbered as para nos. 2 & 3 accordingly.

6. S.O. to 12.2.2018.

CHAIRMAN