

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

**M.A.No.20/2018 IN O.A.St.No.1938/2017
(Madhukar Brahmane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks leave of the Tribunal to amend the M.A. suitably as the cause of action arose in the year 2000. Leave as prayed for is granted. Amendment be carried out till next date.

3. S.O. to 31-01-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION ST. NO.1901/2017
(Popat Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri Prashant Deshmukh learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Learned Advocate for the applicant prays for leave to amend the prayer clause in the original application. Leave as prayed for is granted. Applicant to amend the O.A. forthwith.

3. S.O. to 08-02-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.705/2016
(Panchfulabai Shirsath V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents.

2. Learned Advocate for the applicant requested for adjournment. Adjournment is granted.

3. S.O. to 06-03-2018.

YUK ORAL ORDER 23-01-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.770/2016
(Manchakrao Paratwath & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri S.D.Joshi learned Advocate for the applicant has filed **leave note** on record. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 22-02-2018.

YUK ORAL ORDER 23-01-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.850/2016
(Anand Gavali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri S.D.Joshi learned Advocate for the applicant has filed **leave note** on record. Shri M.P.Gude learned Presenting Officer for respondents is present.

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

YUK ORAL ORDER 23-01-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.68/2017
(Prakash Dapke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri R.P.Bhumkar learned Advocate for the applicant has filed **leave note** on record.

Heard Shri I.S.Thorat learned Presenting Officer for respondent nos.1 to 3 and Shri Shamsundar Patil learned Advocate for respondent nos.4 and 5.

2. Learned Advocate Shri Patil has filed affidavit in reply on behalf of respondent nos.4 and 5. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 05-03-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.86/2017
(Badrinath Ghongade & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri S.D.Joshi learned Advocate for the applicant has filed **leave note** on record. Smt. Resha Deshmukh learned Presenting Officer for respondents is present.

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

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.116/2017
(Dr. Dhanraj Kendre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri Subhash Sawangikar learned Advocate for the applicant has filed **leave note** on record. Smt. Resha Deshmukh learned Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 06-03-2018.

YUK ORAL ORDER 23-01-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.174/2017
(Dr. Madhav Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

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

2. Learned CPO has prayed to grant a short time to file affidavit in reply on behalf of respondent nos.1 to 4. On earlier date, last chance was granted but the respondents failed to file reply.

3. However, in the interest of justice last chance is granted to file affidavit in reply on behalf of respondent nos.1 to 4. If respondents fail to file reply on the next, they will be saddled with heavy costs.

3. S.O. to 14-02-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.203/2017
(Shamrao Wagatkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

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

2. Learned P.O. states that he will reply on behalf of the respondent no.3 during the course of the day.

3. Learned P.O. seeks time to file on behalf of respondent no.1. Time is granted.

4. S.O. to 06-03-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.214/2017
(Chetan Kangarkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri N.P.Bangar learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. Learned Advocate for the applicant has not filed service affidavit on record since long.

3. Hence, case be fixed for passing appropriate order on 07-03-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.276/2017
(Prashant Birale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri K.J.Suryavanshi learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for respondents is present.

2. Learned P.O. states that affidavit in reply of respondent no.4 is not necessary.

3. In view of absence of learned Advocate for the applicant, S.O. to 07-03-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.279/2017
(Rekha Bonalawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri V.G.Pingle learned Advocate for the applicant, Shri D.R.Patil learned Presenting Officer for respondent nos.1 to 3 and Shri A.D.Aghav learned Advocate for respondent nos.4 and 5.

2. Learned Advocate for the applicant files affidavit in rejoinder to the reply of respondent nos.4 and 5. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. seeks time to file affidavit in reply on behalf of respondent nos.1 to 3. Time is granted.

4. S.O. to 29-01-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**O.A.NO.400/2017 WITH M.A.NO.21/2018
(Vrushali Doifode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri S.B.Mene learned Advocate holding for Shri A.S.Deshpande learned Advocate for the applicant, Shri D.R.Patil learned Presenting Officer for respondent nos.1 to 3 and Shri G.M.Sharma learned Advocate holding for Shri N.P.Dube learned Advocate for respondent no.5. Shri Y.V.Dhoble learned Advocate for respondent no.4 is **absent**.

2. Issue notices to the respondents in the M.A.No.21/2018, returnable on 20-02-2018.

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

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O.A.400/17 WITH M.A.21/18

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 20-02-2018.

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

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.576/2017
(Uhas Suryavanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri Amit Dhongde learned Advocate holding for Smt. Suchita Dhongde learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05-03-2018.

YUK ORAL ORDER 23-01-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.599/2017
(Ramsing Pardeshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri N.K.Pardeshi learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for respondents is present.

2. Learned P.O. submits that respondents are sending pension papers of the applicant to the A.G. Office. Therefore, he has sought time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 07-03-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.625/2017
WITH
CAVEAT NO.50/2017
(Jitendra Jaiswal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri S.C.Swami learned Advocate holding for Shri S.K.Chavan learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents. Shri Kakasaheb B. Jadhav learned Advocate for respondent no.7 is **absent**.

2. At the request of learned Advocate for the applicant, S.O. to 26-02-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.628/2017
(Mohit Mali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri C.V.Bhadane learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Since pleadings are complete, matter is admitted. Case may be kept for final hearing on 08-03-2018.

3. S.O. to 08-03-2018.

YUK ORAL ORDER 23-01-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.676/2017
(Rahul Suryavanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents. Shri Y.U.Kakade learned Advocate for respondent no.3 is **absent**.

2. Learned Advocate for the applicant prayed for adjournment. Adjournment is granted.

3. S.O. to 01-02-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.690/2017
(Datta Tumram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Shri S.N.Pagare learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for respondents is present.

2. Since none is present for the applicant, S.O. to 01-03-2018 for passing appropriate order.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.699/2017
(Smt. Sunita Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri V.G.Pingle learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted as a most last chance.

3. S.O. to 16-02-2018.

YUK ORAL ORDER 23-01-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.725/2017
(Rahul Kotade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. submits that respondents are intending to take corrective measures in the matter. Therefore, she sought one week's time to take instruction in that regard from the respondents. Time is granted.

3. S.O. to 29-01-2018

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.772/2017
(Dr. Ravindra Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri A.G.Talhar learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for respondents and Shri Lalit Suvarna learned Advocate holding for Shri M.S.Sonawane learned Advocate for respondent nos.4 and 5.

2. Learned P.O. as well as the learned Advocate for respondent nos.4 and 5 sought time to file affidavits in reply on behalf of the respondents. Time is granted.

3. S.O. to 22-02-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.847/2017
(Ashok Bagal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh 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 29-01-2018.

3. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.145/2016
(Ramrao Dhakne V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri Vishwas D. Solanke learned Advocate holding for Shri S.S.Thombre learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned Advocate for the applicant prays for time for arguing the matter finally. Time is granted.

3. S.O. to 06-02-2018.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

**ORIGINAL APPLICATION NO.159/2017
(Ajabrao Rambhau Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for respondents and Shri S.D.Dhongde learned Advocate for respondent nos.3 and 4.

2. Learned Advocate for the applicant has submitted that the applicant is claiming deemed date of promotion on the ground that he has passed professional examination which was required for promotion on the post of Junior Engineer (previously named as 'Overseer') in the year 1990 as per G.R. dated 07-06-1965. But he was not promoted immediately as per the said G.R/s. and he was promoted only in the year 2007. He has submitted that similarly situated persons had filed O.A.No.878/2016 which had been decided by the Tribunal and the directions were given to the respondents to decide his

representation. He has submitted that in the present case also, the applicant has filed representation dated 03-03-2008 with the respondent no.1 to give him deemed date of promotion from the date of passing of the examination i.e. from 1990. He has submitted that respondent no.1 has not decided the said representation, and therefore, he has prayed to direct the respondents to decide representation of the applicant on merit as per rules within stipulated period.

3. Learned P.O. and learned Advocate for respondent nos.3 and 4 have submitted that necessary order may be passed.

4. On perusal of record, it reveals that similar issue was involved in O.A.No.878/2016 and in that O.A. the Tribunal had directed the respondents to take decision on the representation of the applicant within stipulated time as per rules. Therefore, in my opinion, it is just and proper to direct the respondent no.1 to decide the representation of the applicant dated

03-03-2008 on merit within 2 months from the date of order, as per rules.

5. In view of the above discussion, O.A. stands disposed of with a direction to the respondent no.1 to decide representation of the applicant dated 03-03-2008 on its own merit and as per rules within 2 months from the date of this order and also to communicate the decision to the applicant in writing. There shall be no order as to costs.

MEMBER (J)

YUK ORAL ORDER 23-01-2018 F

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

ORIGINAL APPLICATION NO. 84 OF 2018

[Dr. Mohd. Feroz Iqbal Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

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

2. At the request and by consent of both the parties, S.O. to 29.01.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 511 OF 2017

[Shri Suryakant S. Bhalerao Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that revision filed by the applicant, challenging the punishment imposed on him in the departmental enquiry, has been decided by the respondent No. 2 on 22.12.2017. He has submitted that the said event occurred during the pendency of this Original Application and, therefore, the applicant wants to challenge the said decision by amending the present Original Application and, therefore, he seeks leave of this Tribunal to amend the present Original Application.

3. On going through the reliefs sought by the applicant, it reveals that the main prayer is to issue directions to the respondents to release all consequential/monetary benefits like annual grade increments, one step promotion and

O.A. NO. 511 OF 2017

balance amount of subsistence allowance to the respondents and also direct the respondents to decide the revision petition pending before the respondent No. 2. In view of the order passed by this Tribunal on 25.9.2017, the respondents were directed to take decision on the appeal/revision filed by the applicant. Accordingly, the respondent No. 2 has decided it on 22.12.2017. The applicant wants to challenge the said decision of the respondent No. 2 passed in the revision by amending the prayer clause in this Original Application. If the applicant wants to challenge the decision of the respondent No. 2 dated 22.12.2017 taken in revision, the applicant has to file separate Original Application, as it has independent cause of action and the same cannot be challenged in the present O.A..

4. At this stage, learned Advocate for the applicant prays for time to make further submissions. Time granted.

5. S.O. to 26th February, 2018.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 26 OF 2018

[Shri Bhushan V. Raut Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri Sandeep D. Munde, 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 30.01.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 587 OF 2016

[Shri Vijaysing H. Bagul Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 13.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 113 OF 2017

[Marathwada Sarva Shramik Sangathana, Aurangabad Vs. State of
Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri Avishkar S. Shelke, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents has filed affidavit in reply on behalf of respondent Nos. 1 to 5 and the same is taken on record.

3. At the request of learned Advocate for the applicant, S.O. to 14.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 114 OF 2017

[Marathwada Sarva Shramik Sangathana, Aurangabad Vs. State of
Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned
Advocate holding for Shri Avishkar S. Shelke,
learned Advocate for the applicant and Shri I.S.
Thorat, learned Presenting Officer for the
respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 14.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 262 OF 2017

[Shri Trimbak G. Phasle Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 06.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 383 OF 2017

[Shri Uttam S. Munde Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, 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 27.02.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 404 OF 2017

[Shri Ravindra R. Mungale Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents has filed affidavit in reply on behalf of respondent Nos. 1 to 5 and the same is taken on record.

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

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 431 OF 2017

[Shri Vyankatesh M. Talgaonkar Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri J.B. Choudhary, 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 12.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 496 OF 2017

[Varsharani S. Chavan Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri Sandip S. Chakurkar, learned Advocate for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Since nobody appears for the applicant, S.O. to 08.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 587 OF 2017

[Gangutai M. Sonkamble Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri M.M. Ambhore, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 to 5. Shri Amol Patale, learned Advocate for respondent No. 6 (**absent**).

2. At the request of learned Advocate for the applicant, S.O. to 06.02.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 731 OF 2017

[Shri Suresh M. Tulapurkar Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27.02.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 799 OF 2017

[Shri Mangesh S. Vishwasu Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant has filed leave note. Shri N.U. Yadav, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer for the respondents has filed affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record.

3. In view of leave note filed by the learned Advocate for the applicant, S.O. to 14.02.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

M.A. 259/17 WITH M.A.ST.922/17 WITH M.A.21/13 IN O.A. 700/12
[Atharoddin A. Siddique Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri Y.P. Deshmukh, 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 02.02.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 531 OF 2014

[Shri Prashant P. Sant & Ors. Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Shri A.S. Bayas, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 23.02.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 705 OF 2015

[Shri Prashant S. Sirsat Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

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

2. Learned Advocate Shri R.D. Khadap appeared and states that he has received instructions from the applicant to appear on his behalf in this matter. He has filed **VAKALATNAMA** on behalf of the applicant and the same is taken on record.

3. At the request of learned Advocate for the applicant, S.O. to 07.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 857 OF 2016

[Shri Bhikan P. Sonar & Ors. Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 13.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

ORIGINAL APPLICATION NO. 79 OF 2017

[Md. Kamran Md. Abrar Sk. Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri S.D. Dhongde, 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 13.03.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

O.A.NO. 380/2017 WITH O.A. NO. 792/2015

[Dr. Prasad V. Kulkarni & Ors. Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 23.01.2018.

ORAL ORDER :

Heard Shri Vishnu Dhoble, learned Advocate for the applicants in both these cases, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the cases and Shri A.S. Deshmukh, learned Advocate for respondent Nos. 3 to 5 in O.A. No. 792/2015.

2. At the request and by consent of both the parties, S.O. to 23.02.2018.

MEMBER (J)

ORAL ORDERS 23.01.2018-HDD

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

**ORIGINAL APPLICATION NO.46/2017
(Dr. Pramod Mhaske & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.01.2018

ORAL ORDER :

Heard Shri Vishwas B. Wagh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that in O.A. No. 149/2003 which is a case of similarly situated person/s, this Tribunal had given directions to the respondents to condone the technical breaks in service and to release annual increments. He has produced copy of the order passed by this Tribunal in O.A.No.149/2003 on 26-08-2003. He has submitted that order had been challenged before the Hon'ble High Court by the respondents in Writ Petition No.3484/2005 but that Writ Petition was dismissed on 27-11-2008. He has submitted that against the said decision of the Hon'ble High Court, respondents had filed SLP No. (CC) 18902-18915 of 2010 before Hon'ble the

Apex Court but it was dismissed on the ground of delay as well as on merit by order dated 02-02-2011.

3. Learned Advocate for the applicant has submitted that thereafter, those persons approached to the Tribunal again for releasing annual increments filing O.A.Nos.242/2009, 249/2009 and other O.As. before this Tribunal and said O.As. had been decided by the Tribunal on 02-05-2016 directing the respondents to release annual increments during the period of their ad-hoc service. However, this Tribunal has clarified that after their regularization pay has to be fixed at the minimum of the pay scale. He has submitted that said order has not been challenged by the respondents. He has submitted that in view of the abovesaid decisions, it is just and proper to direct the respondents to decide the representations of the applicants pending with the respondent no.1, which are collectively placed at paper book page 159 to 244.

4. Learned P.O. has submitted that the O.A. can be disposed of by giving direction to the respondents to decide the representation of the applicants as per rules and relevant G.Rs. and considering the judgments delivered by the Hon'ble High Court and Hon'ble the Supreme Court in that regard. She has submitted that 2 months' time may be granted to the respondents to decide the representations filed by the applicants.

5. In view of the abovesaid submissions made by both the parties and considering the fact that on earlier occasion the similar issue had been dealt with and decided by this Tribunal. That matter went up to Hon'ble Supreme Court. This Tribunal had given directions to the respondents in earlier matters to extend benefits of increments to the Medical Officer who had rendered service on ad-hoc basis. Applicants have filed their representations with the respondent no.1 and claimed same relief on the ground of parity. Said representations which are at paper book page 159 to 244 have not been

decided by the respondents till today. In these circumstances, it is just to direct the respondent No. 1 to decide the said representations within 2 months the date of order considering the decision rendered by this Tribunal, Hon'ble High Court and Hon'ble the Supreme Court as well as the provisions of Maharashtra Civil Services Rules and relevant G.Rs.

6. In view of the above discussion, O.A. stands disposed of with a direction to the respondent No. 1 to decide the representations of the applicants within 2 months from the date of this order as per rules by taking into consideration the judgments of this Tribunal, Hon'ble High Court and Hon'ble the Supreme Court. Respondent no.1 is directed to communicate the decision taken on the representations to the concerned in writing. There shall be no order as to costs.

MEMBER (J)