

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

**M.A.NO. 24/2018 IN O.A.NO. 73/2018  
(Shri Vishwajeet V. Jondhale V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 24<sup>TH</sup> APRIL, 2018.**

**ORAL ORDER :**

1. Heard Shri V.P. Kadam, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer states as follows that : -

Telephonic instructions are received for praying for time for filing reply.

3. Reply be filed to M.A. & O.A. both, on or before the next date.

4. By way of last chance, S.O. to 12<sup>th</sup> June, 2018.

**CHAIRMAN**

ORAL ORDERS 24.04.2018-HDD

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

**ORIGINAL APPLICATION NO. 883 OF 2017  
(Shri Datta R. Munde V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 24<sup>TH</sup> APRIL, 2018.**

**ORAL ORDER :**

1. Heard Shri Joslyn A. Menees, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for time to study the matter. Time granted.

3. S.O. to 4<sup>th</sup> June, 2018.

**CHAIRMAN**

ORAL ORDERS 24.04.2018-HDD

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

**ORIGINAL APPLICATION NO. 560 OF 2017  
(Dr. Prafull V. Gaikwad V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 24<sup>TH</sup> APRIL, 2018.**

**ORAL ORDER :**

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 to 3 & 5 and Smt. Vaishali Shinde, learned Advocate for respondent No. 4.
2. In the midst of hearing, learned Advocate for the applicant prays for leave to amend for entire paper book of the O.A.
3. Leave as prayed for is granted.
4. The applicant shall substitute the O.A. within a period of 30 days.
5. It is made clear that if the applicant fails to substitute the O.A. within a stipulated timeframe, the O.A. shall stand dismissed automatically without reference to the Tribunal.
6. If applicant substitutes the O.A. within a stipulated timeframe, issue fresh notices to the respondents, returnable on 2<sup>nd</sup> July, 2018.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

**:: - 2 - ::**  
**O.A. NO. 560 OF 2017**

8. 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.

9. 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.

10. 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.

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

12. Learned Advocate for respondent No. 4 has tendered affidavit in reply and the same is taken on record and the copy thereof has been served on both the sides.

13. If amendment is carried out by the applicant, affidavit in reply and old paper book of O.A. be removed and kept in second part.

14. Respondents shall file affidavit in reply to the amended / substituted O.A. on or before the next date.

**:: - 3 - ::**  
**O.A. NO. 560 OF 2017**

15. S.O. to 2<sup>nd</sup> July, 2018, if amendment is done by the applicant & if O.A. is not dismissed.

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

**CHAIRMAN**

ORAL ORDERS 24.04.2018-HDD

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

**O.A.NO. 884/17 WITH O.A. 885/17 WITH O.A. 886/17 WITH O.A.  
887/17 WITH O.A. 888/17 WITH M.A. 97/18 WITH O.A. 889/17  
WITH O.A. 890/17 WITH O.A. 891/17 WITH O.A. 892/17 WITH  
M.A. 92/18 WITH O.A. 893/17 WITH M.A. 99/18 WITH O.A. 894 &  
895/2017**

**(Shri Prabhakar D. Mali & Ors. V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE : 24<sup>TH</sup> APRIL, 2018.**

**ORAL ORDER :**

1. Heard Shri S.G. Chapalgaonkar, learned Advocate for the applicants in all these cases, S/Shri M.S. Mahajan, N.U. Yadav, V.R. Bhumkar, M.P. Gude & Smt. Priya Bharaswadkar, Smt. S.G. Ghate, learned Chief Presenting Officer and learned Presenting Officers for the respondent Nos. 1 to 4 in respective cases and Shri M.B. Kolpe, learned Advocate holding for Shri Vivek Deshmukh, learned Advocate for respondent No. 5 in O.A. Nos. 884, 888, 892 & 893/2017, Shri N.K. Tungar, learned Advocate for respondent No. 5 in O.A. No. 886 & 895/2017. None appears for respondent No. 5 in O.A. Nos. 887 & 891

2. Learned Chief Presenting Officer and learned Presenting Officers seek time for filing affidavit in reply in all these cases. Time granted.

3. S.O. to 14<sup>th</sup> June, 2018.

**CHAIRMAN**

ORAL ORDERS 24.04.2018-HDD

**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.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 24.4.2018**

**ORAL ORDER :**

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.

2. None has appeared for the applicant on the last date also. It appears that the query raised by the Tribunal vide order dtd. 2.2.2018 is also not satisfied by the learned Advocate for the applicant. In the circumstances, the present O.A. is dismissed in default without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**ORIGINAL APPLICATION NO. 208/2018  
(Dharma G. Marathe V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. It appears that the learned Advocate for the applicant is not prepared in the present matter, despite grant of opportunity to him on 11.4.2018. In the circumstances, in order to give ample opportunity to the learned Advocate for the applicant to prepare in the present matter, S.O. to 10.7.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018



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

**ORIGINAL APPLICATION NO. 223/2018  
(Madhav V. Kale V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri S.G. Chapalgaonkar, 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 11.6.2018 to comply with the order of the Tribunal dtd. 16.4.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**ORIGINAL APPLICATION NO. 245/2018  
(Vasant D. Bhapkar V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Issue notice before admission to the respondents, returnable on 21.6.2018.

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

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

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

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

7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application

shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 21.06.2018.

9. Steno copy / humdast allowed for both the sides.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**ORIGINAL APPLICATION NO. 246/2018  
(Vaishali V. Sangle V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Upon hearing both the sides, it appears that, instructions are required to be taken by the learned P.O. from the res. no. 3 - M.P.S.C. - regarding application of directions issued by the Tribunal in O.A. no. 227/2018 dtd. 13.4.2018 (page 62) in the present matter since applicant in the present matter has applied from Open Female category and has not even claimed her candidature from reserved category.

3. S.O. to 5.6.2018 for taking instructions by the learned P.O. from the respondent no. 3 on the above line.

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

**MEMBER (A)**  
ARJ ORAL ORDERS 24-4-2018

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 247/2018  
(Shankar J. Khedkar V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Upon hearing both the sides, it appears that, instructions are required to be taken by the learned P.O. from the res. no. 4 – M.P.S.,C. - regarding application of directions issued by the Tribunal in O.A. no. 898/2017 dtd. 5.1.2018 (page 70) in the present matter since applicant in the present matter has applied from Open category and has not even claimed his candidature from reserved category.

3. S.O. to 5.6.2018 for taking instructions by the learned P.O. from the res. 4 – M.P.S.C. on the above line.

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

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A. 132/2018 IN O.A. ST. 517/2018  
(Avinash P. Chandra & Ors. V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. The present M.A. has been filed by the applicants for permission to sue jointly the O.A.

3. For the reasons stated in the present M.A. it is allowed and disposed of without any order as to costs and the applicants are permitted to sue jointly the O.A., subject to payment of requisite court fees by each of the applicant.

4. Office to register the O.A. on due scrutiny.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. ST. 517/2018  
(Avinash P. Chandra & Ors. V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant relies on the order passed by the principal seat of this Tribunal at Mumbai in O.A. nos. 320 with 316/2018 dtd. 13.4.2018.

**3. Since similar issue as has been involved in O.A. nos. 320 with 316/2018 has been arisen in the present matter, similar order is passed in the present matter also with addition of para 13 as under :-**

**“that in case any appointment order or order of training is issued by the respondents on the basis of impugned decision, in each of the order sent to the select candidates, footnote be put that the selection is subject to the decision in the present O.A. and also notice be**

**put on the official website of the concerned respondents in that regard.”**

4. Issue notices to the respondents in the present matter, returnable on 27.6.2018.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
8. 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.



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

10. S.O. to 27.06.2018.

11. Steno copy / humdast allowed for both the sides.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**O.A. ST. 550/2018 WITH M.A. 139/2018  
(Shaikh Juberoddin Rafiuddin V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned Advocate, on instructions from the applicant submits that applicant may be allowed to withdraw the present O.A. and M.A.

3. In the circumstances the present O.A. & M.A. are disposed of as withdrawn without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

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

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. Learned P.O. seeks time to comply with the order of the Tribunal dtd. 19.4.2018. At his request S.O. to 3.5.2018 to comply with the order dtd. 19.4.2018.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**ORIGINAL APPLICATION NO. 730/2016  
(Dipak K. Bahir V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri N.K. Tungar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 & 2 and Shri Sandeep Rathod, learned Advocate holding for Shri R.E. Pathade, learned Advocate for respondent nos. 3 to 5. None appears for respondent nos. 6 & 7.

2. In pursuance of the order dtd. 16.4.2018, learned Advocate for res. nos. 3 to 5 files on record hall tickets issued by the 2 different departments for the same examination. Same are taken on record and marked as document 'X' collectively for the purpose of identification and copies thereof are supplied to the learned Advocate for the applicant.

3. In the circumstances, S.O. to 6.6.2018 for making further submissions.

**MEMBER (A)**

**VICE CHAIRMAN**



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

**ORIGINAL APPLICATION NO. 327/2017  
(Ajay R. Pofale V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

-----  
**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri S.R. Dheple, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1 & 2 and Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent nos. 3 & 4.

2. Learned P.O. has filed affidavit in reply of res. 5. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. At the request of learned Advocate for applicant, S.O. to 11.6.2018 for hearing on admission. Ad Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 397/2017  
(Janardhan V. Ghasing V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned P.O. seeks time regarding corrective steps in view of order of the Tribunal dtd. 16.3.2018. In the circumstances, at his request S.O. to 12.6.2018 with a caution that, in case no corrective steps are taken by the concerned respondents or no affidavit explaining reasons for not taking corrective steps is filed by the next date, the present O.A. will be heard finally at the stage of admission itself.

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

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 588/2017  
(Dr. Balasaheb P. Yadav V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri S.B. Patil, learned Advocate holding for Shri D.T. Devane, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O. S.O. to 6.6.2018 for compliance of order of the Tribunal dtd. 21.3.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018



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

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

-----  
**OFFICE ORDER**

-----  
**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri Sandip Rathod, learned Advocate holding for Shri D.A. Bide, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to comply with the directions issued by the Tribunal at the time of issuances of notices to the respondents on 28.9.2017. It is to be noted that many opportunities were granted to the respondents therefor.

3. In the circumstances, at the request of learned P.O. as a last chance, S.O. to 7.6.2018 for compliance of order dtd. 28.9.2017. It is hereby made clear that if the said order is not complied with by the concerned respondents by the next date, this Tribunal would be compelled to take a penal action as may be deemed fit against the concerned respondents.

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

**MEMBER (A)**

**VICE CHAIRMAN**



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

**ORIGINAL APPLICATION NO. 718/2017  
(Mohamad Arifoddin Gulam V/s. State of Maharashtra & Ors.)**

---

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

---

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

**DATE : 24.4.2018**

**ORAL ORDER :**

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.

2. Learned P.O. has already filed reply. Upon hearing learned P.O. and going through the record, it appears that arguable case is made out. Hence, O.A. is hereby admitted. Learned P.O. waives service of notice of admission for the respondents.

3. Matter be placed for hearing in due course of time.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**ORIGINAL APPLICATION NO. 921/2017  
(Dr. Atul A. Deshmukh V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply. It is to be noted that many opportunities were granted to the concerned respondents therefor. It appears that the concerned respondent is not vigilant for contesting the interim relief granted to the applicant. In the circumstances, as a last chance, S.O. to 14.6.2018 for filing affidavit in reply. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 928/2017  
(Santosh T. Vaidya V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri S.N. Boiwar, learned Advocate holding for Shri R.L. Kute, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. files two separate affidavit in replies of the res. nos. 1 & 3 and res. no. 2. The same are taken on record and copies thereof have been supplied to the learned Advocate for the applicant. In the circumstances, S.O. to 12.6.2018 for hearing on admission. Rejoinder affidavit, if any, be filed by the next date with copy in advance to the learned C.P.O.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**C.P. 3/2016 IN O.A. 239/2015  
(Dr. Sonali B. Sayamber V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned P.O. files on record copy of the orders issued by the concerned respondents, which are taken on record and marked as document 'X' for the purpose of identification and copies thereof are supplied to the learned Advocate for the applicant. It appears that not only payment is made to the applicant, but also overpayment is made to the applicant.

3. At the request of learned Advocate for the applicant S.O. to 26.4.2018 for taking instructions from the applicant regarding withdrawal of present C.P., if any, or for making submissions on the above line.

**MEMBER (A)**

**VICE CHAIRMAN**



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

**C.P. 20/2018 IN O.A. 753/2016  
(Dr. Mangesh M. Ghodke V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned P.O. seeks accommodation till 3.5.2018. It is to be noted that, already many opportunities were granted to the respondents to comply with the order, which is merely only to decide the representation within time bound period. In the circumstances, as a last chance, S.O. to 3.5.2018 with a warning that, in case order is not complied with by that time, Tribunal would be constrained to impose heavy costs and also take a penal action against the concerned respondents.

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

**MEMBER (A)**

**VICE CHAIRMAN**



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

**ORIGINAL APPLICATION NO. 90/2018  
(Jayant R. Chavan V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri Nitin Meshram, learned Advocate holding for Shri Shankar Borkute, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Arguable case is made out and, therefore, present O.A. is hereby admitted. Heard finally with consent. Reserve for order.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**C.P. 33/2018 IN O.A. NO. 74/2015  
(Dr. Girish H. Thide V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. At the request of learned C.P.O. S.O. to 2.5.2018 to make clarification regarding grant of provisional pension to the applicant.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**C.P. 34/2018 IN O.A. NO. 78/2015  
(Dr. Vijay V. Deshpande V/s. State of Maharashtra & Ors.)**

---

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

---

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. At the request of learned C.P.O. S.O. to 2.5.2018 to make clarification regarding grant of provisional pension to the applicant.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NO. 6/2018  
(Ganesh B. Kundle V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**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 the respondents.

2. At the request of learned C.P.O. S.O. to 16.6.2018 for filing reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NO. 8/2018  
(Devendra S. Jade V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**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 P.O. S.O. to 20.6.2018 for filing reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NO. 10/2018  
(Rajendra B. Kadam V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

-----  
**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Applicant is claiming deemed date of appointment. His submissions would show that due to negligence of the employees of the concerned respondents, appointment could not be issued in time. However, for the said reason, deemed date of appointment cannot be granted to the applicant in view of absence of any rules in field in that regard.

3. In the circumstances, present O.A. is rejected without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**O.A. NO. 76/2018  
(Purushottam S. Andhale & Ors. V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard 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 the respondents.

2. At the request of learned P.O. S.O. to 2.7.2018 for filing reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NO. 10/2018  
(Rajendra B. Kadam V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Applicant is claiming deemed date of appointment. His submissions would show that due to negligence of the employees of the concerned respondents, appointment could not be issued in time. However, for the said reason, deemed date of appointment cannot be granted to the applicant in view of absence of any rules in field in that regard.

3. In the circumstances, present O.A. is rejected without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**



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

**O.A. NO. 489 & 492/2017  
(Mahadu R. Munmane & Ors. V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar & S.K. Mathpati, learned Advocates for the applicants in both the matters and Shri N.U. Yadav, learned Presenting Officer for the respondents in both the matters.

2. At the request of learned P.O. S. O. to 7.6.2018 for production of documents from the concerned respondents as per order dtd. 28.3.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NO. 517/2017  
(Anup S. Kulkarni V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri S.H. Jadhav, learned Advocate holding for Shri S.B. Bhosale, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O. S. O. to 13.6.2018 for filing reply to the amended O.A. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NOs. 603, 604, 605, 606, 607, 608, 609, 780/2017  
(Jaideep A. Limbale & Ors. V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh and Ms. Preeti Wankhade, learned Advocates for the applicants in respective matters and S/shri M.S. Mahajan, N.U. Yadav, M.P. Gude, I.S. Thorat, Smt. Priya R. Bharaswadkar & Smt. Resha S. Deshmukh, learned Chief Presenting Officer & Presenting Officers for the respondents in respective matters.

2. At the request of learned C.P.O. /P.Os., S.O. to 5.6.2018 for compliance of order dtd. 13.4.2018. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NO. 590/2013  
(Kaveri V. Chavan V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

-----  
**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri P.G. Gunale, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 1 to 5. None appears for respondent nos. 7 & 8. Shri S.K. Mathpati, learned Advocate for respondent nos. 6 has filed leave note.

2. At the request of learned Advocate for the applicant, S.O. to 8.6.2018 for hearing along with O.A. no. 237/2013.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NO. 237/2013  
(Kaveri V. Chavan V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

-----  
**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri V.G. Gunale, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondents nos. 1 to 5 and Shri S.B. Patil, learned Advocate for respondent no. 6.

2. Learned Advocate for res. no. 6 has filed reply. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. At the request of learned Advocate for the applicant, S.O. to 8.6.2018 for hearing along with O.A. no. 590/2013.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

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

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to 12.6.2018 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**M.A. 515/2017 WITH M.A. 01/2018 IN O.A. ST. 1881/2017  
(Chandidas B. Deshpande V/s. State of Maharashtra & Ors.)**

---

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

---

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned P.O. seeks time to file affidavit in reply in the present M.A. Learned Advocate for the applicant has filed on record true copy of the order dtd. 9.2.2018 passed by the Accountant General, Nagpur in respect of another retired employee viz. Shri Chanshekar M. Soman. According to him, case of the applicant is similar to the case of said retired employee regarding whom order is passed. The said order is taken on record and marked as document 'X' for the purpose of identification.

3. In the circumstances, the concerned respondents are hereby directed to examine the case of the present applicant and take corrective steps in the present matter. If for any valid reason they are of the opinion that the corrective steps cannot be taken in the present matter, then

**::-2-::**  
**M.A. 515/2017 WITH M.A.**  
**01/2018 IN O.A. ST. 1881/2017**

a short affidavit explaining the reasons therefore be filed on the next date.

4. In the circumstances, S.O. to 25.6.2018 for above compliance.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018



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

**ORIGINAL APPLICATION NO. 484/2013  
(Nagnath S. Jadhav V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned Advocate holding for Shri H.P. Jadhav, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time. It is to be noted that, none has appeared for the applicant on last 2 dates. However, in the interest of justice, at his request, S.O. to 13.6.2018 for final hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**ORIGINAL APPLICATION NO. 300/2015  
(Santosh P. Namdas V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to 18.6.2018 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**ORIGINAL APPLICATION NO. 933/2017  
(Neha K. Parve V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, issue fresh notices to the respondents, returnable on 4.7.2018.

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

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

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

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

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

8. S.O. to 4.7.2018.

9. Steno copy / humdast allowed for both the sides.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A. 110/2017 IN O.A. ST. 233/2017  
(Dr. Archana K. Teltumbade V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri Gajanan Kadam, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1, 2 & 4, Shri S.B. Patil, learned Advocate for respondent no. 3 and Smt. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 5.

2. Learned Advocate for res. no. 3 submits that, during the course of the day, reply would be filed in the present matter. It be accepted on record.

3. By the present M.A. the applicant has sought leave to condone the delay of 1537 days caused in filing the accompanying O.A. By the accompanying O.A. the applicant is claiming appointment to the post of Assistant Professor. The submissions of the learned Advocate for the applicant is that, the applicant was under belief that the res. no. 5 – Dr. Sanjeevani S. Shekokar, who is appointed to the post was qualified. However, in view of another O.A. bearing no. 100/2012 filed by Dr. Meena R. Sawte the facts

have come on record that the said respondent is not eligible for the post and, therefore, delay has occurred in approaching the Tribunal.

4. Respective Counsel for respective respondents opposed the plea.

5. In our view, sufficient cause is made out by the applicant for condonation of delay of 1537 days caused in filing the O.A. In the circumstances, M.A. is allowed and disposed of without any order as to costs and the applicant is permitted to file O.A.

6. Office to register the O.A. on due scrutiny.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**O.A. ST. 233/2017**

**(Dr. Archana K. Teltumbade V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri Gajanan Kadam, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1, 2 & 4, Shri S.B. Patil, learned Advocate for respondent no. 3 and Smt. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 5.

2. Issue notices to the respondents, returnable on 8.6.2018.

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

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

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

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

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

8. S.O. to 8.6.2018.

9. Steno copy / humdast allowed for both the sides.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018



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

**M.A. 325/2017 IN O.A. ST. 941/2017  
(Bhika B. Choudhari V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.

2. At the request of learned P.O. S.O. to 12.6.2018 for filing affidavit in reply in the present M.A. & O.A.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**M.A. 106/2018 IN O.A. 321/2017  
(Manisha P. Jagtap V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned P.O. submits that earlier order dtd. 27.3.2018 remained to be communicated to the concerned respondent. In the circumstances, at the request of learned P.O. S.O. to 6.6.2018 for compliance of order dated 27.3.2018.

3. Steno copy of this order & order dtd. 27.3.2018 be provided to the learned P.O.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**M.A. 148/2018 IN O.A. 709/2017  
(Ramesh M. Sonwane V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned P.O. seeks time to file affidavit in reply of the respondents in the present M.A. At his request S.O. to 11.6.2018 for filing affidavit in reply in M.A.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**C.P. 18/2018 IN O.A. 456/2016  
(Mohd. Imran Khan V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. as a last chance S.O. to 11.6.2018 for taking instructions from the respondents.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. 439/2013  
(Sakharam G. Choughule V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Upon hearing learned Advocate for the applicant, it appears that, both the punishments imposed on the applicant are minor punishments and, therefore, rigorous rules regarding conducting of D.E. before imposition of punishments may not be applicable in the case of the applicant. Leaned Advocate submits that, he has not brought the relevant rules applicable to the police personnel. He seeks time therefor. At his request S.O. to 5.6.2018 for making submissions on the above line, and for further hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**O.A. NO. 670/2013  
(Jivan J. Sathe V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. It appears that none is appearing for the applicant since long. In the circumstances, S.O. to 14.6.2018 either for hearing or for passing necessary orders.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. NO. 461/2015  
(Vijay L. Tarode V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned Advocate seeks time to take instructions from the applicant on the line of order dtd. 12.4.2018. At his request S.O. to 19.6.2018 for seeking instructions from the applicant on the line of order dtd. 12.4.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. 126/2016  
(Anjanabai H. Suryawanshi V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

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

2. Learned Advocate seeks time to take instructions from the applicant as to whether any post if Peon from the category of compassionate appointment is available with the res. no. 2. Time granted.

3. Similarly the res. no. 2 is hereby directed to make a statement on the next date on the above line by filing any report in that regard etc.

4. S.O. to 19.6.2018 for compliance of above order.

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

**MEMBER (A)**

**VICE CHAIRMAN**



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

**O.A. 230/2017**

**(Dr. Kole N. Vinayakrao V/s. State of Maharashtra & Ors.)**

---

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

---

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Dr. Vinayakrao Kole – applicant in person and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time. At his request, S.O. to 8.6.2018 for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 24-4-2018

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

**O.A. 445/2013  
(Lahu Pandurang Galgunde V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. The present applicant is challenging the Circular dtd. 28.9.2012 (Exh. H page 27), which is issued for explaining the G.R. dtd. 19.7.2011 (Exh. G page 25).

3. Vide the above G.R. the Government had declared that the employee, who worked on contractual basis on honorarium for a continuous period of 3 years, the original Pension Rules viz. M.C.S. (Pension) Rules, 1982, which were in existence at the time of their employment on ad-hoc basis, would be applicable to them. It is a common ground that in the meantime, said Pension scheme was replaced by new Pension scheme viz. Defined Contribution Pension Scheme. However, State Government made exception for the employees, who initially worked on contract basis and on honorarium.

4. Vide the impugned Circular (page 27), it was explained that the said benefits would be available only to the employees, who had continued for a period of 3 years on contract basis and then regularized and not to the employees, who left the said contractual job in the midway and had joined in other service of the Government on regular basis.

5. Learned Advocate for the applicant submits that the State Government cannot make two different classes within same category of employees who worked on contract basis. He further submits that, there is no nexus in the decision taken by the State Government. Further the said decision is discriminatory.

6. Learned P.O. opposed the plea. She submitted that vide G.R. dtd. 19.7.2011 the concession was granted to the employees, who worked on contract basis continuously for a period 3 years, that old pension scheme i.e. M.C.S. (Pension) Rules, 1982 would be applicable to them, though they may have been regularized after coming into force of the new Pension scheme. Naturally, the impugned Circular explains that, if the employee on contractual basis leave the job midway, the said G.R. would not be applicable to him. In the circumstances, the impugned Circular is merely an explanation of the same and, as such, it cannot be called as a

new guideline. She further submits that the concession was granted only to those employees, who worked on contract basis on honorarium continuously for a period 3 years. She further submits that, there is no discrimination, if the said benefit is not extended to the employees, who left the contractual job midway.

7. In our view, the Circular dtd. 28.9.2012 is nothing but is only in the nature of explanation to the G.R. dtd. 19.7.2011. There is no discrimination made by the respondents. In the circumstances, the present O.A. is dismissed without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A. 283/2016 WITH O.A. 1167/2016  
(Sudhakar M. Davkare V/s. State of Maharashtra & Ors.)**

-----  
**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
-----

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

**DATE : 24.4.2018**

**ORAL ORDER :**

Heard Shri N.S. Choudhary, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 6 and Shri D.P. Bakshi, learned Advocate for respondent no. 7.

2. The present M.A. has been filed by the applicant for condonation of 6741 days in filing the accompanying O.A.

3. The delay of 6741 days in filing the accompanying O.A. is sought to be condoned by the present applicant. This is an unfortunate case, where a physically challenged candidate is praying that the respondents be directed to give appropriate directions to appoint the applicant on the post of Assistant Executive Engineer (Group-A) and or of Assistant Engineer, Grade-1 (Group-A) with all consequential benefits etc.

4. According to the applicant, since there was no positive knowledge about not maintaining the reservation for physically disabled persons, wherein the applicant is entitled to seek benefit,

the present O.A. is filed as and when the information is obtained. He is physically disabled person under Locomotive Disorder (L.D.) category. No reservation was provided in the concerned advertisement dated 9<sup>th</sup> November, 1998 and other, Annexure 'G', page-72 for the post.

5. It was submitted that since the present applicant also suffers from the above disability, the O.A. could not be filed within time. Therefore, the delay caused in filing the accompanying O.A. be condoned.

6. The respondents have opposed the plea and submitted that no case is made out for condonation of delay. Even otherwise, in the selection process the posts were reserved and hence there is no cause of action.

7. If we examine the accompanying O.A. to verify whether there is prima-facie case made out by the applicant, the document at Annex. J page 85 of O.A. show that the post was reserved for the physically challenged candidates having locomotive disorder, subject to issuance of any notification. The applicant belongs to the same category. The notification dtd. 24.8.1998 issued by the State Government in this regard is at Exh. U-1 Page 192 of O.A.

8. Thus, the State Government has already provided reservation. Learned Advocate for the applicant has, however, drawn our attention at Annex. K page 97, which is a result sheet of the applicant. It is noted therein that the present applicant is qualified, but not recommended due to non-availability of post.

9. This cannot be called as a rejection of reservation. It can be called as rejection of candidature of the applicant for want of availability of post.

10. In the circumstances the M.A. for condonation of delay caused in filing O.A. is dismissed. In view of dismissal of M.A., the O.A. is also dismissed. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**