

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

**M.A.NO.101/2018 IN O.A.ST.NO.362/2018
(Shri Sandeep Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Shri B.S.Deokar learned Presenting Officer for respondents.

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

3. S.O. to 10-10-2018.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.51/2017
(Shri Deelip Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 25-10-2018.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.405/2018
(Nilima Adsul V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Learned P.O. states that he will file affidavit in reply during the course of the day. He also undertakes to serve copy of the reply on the other side.

3. S.O. to 12-10-2018.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.323/2018
(Yoseph Garud V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Learned P.O. states that there is no need to file reply of respondent nos.1 & 2. Reply of respondent no.3 is already on record.

3. Hence, S.O. to 10-10-2018 either for filing affidavit in rejoinder or for hearing.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.342/2018
(Sanjay Barote V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri V.Y.Patil learned Advocate for the applicant and Shri B.S.Deokar learned Presenting Officer for respondents.

2. Learned P.O. states that he will file affidavit in reply during the course of the day. He also undertakes to serve copy of the reply on the other side.

3. S.O. to 11-10-2018.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.142/2018
(Suresh Moholkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Learned P.O. files affidavit in reply on behalf of respondent no.2. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 30-10-2018.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.712/2017
(Ashok Jondhale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri S.S.Dambe learned Advocate holding for Shri G.N.Kulkarni learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. At the request of learned Chief Presenting Officer, S.O. to 25-10-2018 for filing affidavit in reply on behalf of respondents.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 25-10-2018 for arguing the matter finally.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.339/2018
(Shrikrushna Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri V.Y.Patil learned Advocate for the applicant and Smt. M.S.Patni learned Presenting Officer for respondents.

2. Learned Advocate for the applicant files affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 11-10-2018.

4. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.718/2018
(Ashok Bari & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri A.D.Hande learned Advocate holding for Shri S.S.Deshmukh learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 03-10-2018 as a last chance.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**M.A.No.476/2017 IN O.A.St.No.1738/2017
(Maruti Tambe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri A.D.Gadekar learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned P.O. states that affidavit in reply of respondent no.3 is already on record. He states that reply of other respondents is not necessary.

3. Hence S.O. to 31-10-2018 for hearing.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**M.A.No.477/2017 IN O.A.St.No.1736/2017
(Dagdu Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Learned P.O. states that affidavit in reply of respondent no.3 is already on record. He states that reply of other respondents is not necessary.

3. Hence S.O. to 31-10-2018 for hearing.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**M.A.No.478/2017 IN O.A.St.No.1740/2017
(Bhimrao Ingle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Learned P.O. states that affidavit in reply of respondent no.4 is already on record. He states that reply of other respondents is not necessary.

3. Hence S.O. to 31-10-2018 for hearing.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**M.A.No.479/2017 IN O.A.St.No.1742/2017
(Smt. Gunabai Pethe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri A.D.Gadekar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof has been served on the other side. She states that reply of other respondents is not necessary.

3. Hence S.O. to 31-10-2018 for hearing.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**M.A.No.43/2018 IN O.A.St.No.54/2018
(Gangadhar Salve V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri A.D.Gadekar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. has already filed affidavit in reply on behalf of respondent no.3. She states that reply of other respondents is not necessary.

3. Hence S.O. to 31-10-2018 for hearing.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.735/2018
(Santosh Chatupale-Zalte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant as well as learned P.O., S.O. to tomorrow i.e. on 26-09-2018.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION ST. NO.1610/2018
(Sanjaykumar Bhosle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant as well as learned P.O., S.O. to tomorrow i.e. on 26-09-2018.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

ORIGINAL APPLICATION NO.136/2018
(Sambhaji Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 25-10-2018.

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

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

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

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

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 25-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

ORIGINAL APPLICATION NO.177/2018
(Gangadhar Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 29-10-2018.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 29-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.688/2018
(Premnath Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 30-10-2018.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 30-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.689/2018
(Prakash Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 30-10-2018.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 30-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

ORIGINAL APPLICATION NO.720/2018
(Sulbha Khanale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri Ajeet Kadethankar learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 30-10-2018.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 30-10-2018.

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

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION ST. NO.1382/2018
(Sk. Nazir Sk. Miya V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

Heard Shri G.R.Gotiwale learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to satisfy the Tribunal on the point of limitation. Time is granted.

3. S.O. to 15-10-2018 for satisfying the Tribunal on the point of limitation.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO.728/2018
(Kailas Maroti Gite V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018

ORAL ORDER :

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

2. At the request of learned Presenting Officer,
S.O. to 26-09-2018.

MEMBER (J)

YUK ORAL ORDER 25-09-2018 F

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

**ORIGINAL APPLICATION NO. 236/2017
(Smt. Yamuna L. Bhosale & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed short affidavit on behalf of respondent No. 1 as per the order passed by this Tribunal on 11.06.2018. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. At the request of learned Advocate for the applicant, S.O. 30.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 318/2017
(Dr. Shravan Y. Khairnar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Shri S.N. Suryawanshi, learned Advocate holding for Shri D.J. Patil, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, as a last chance, S.O. 01.11.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 253/2018
(Smt. Chaaya K. Ingle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for
the applicant (**Absent**). Smt. M.S. Patni, learned
Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer
for the respondents, S.O. 30.10.2018 for filing
affidavit in reply.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 262/2018
(Dr. Sanjiv K. Munde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 and 2. Time granted as a last chance.

3. S.O. 01.11.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 266/2018
(Dr. Sandeep J. Kala V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 and 2. Time granted as a last chance.

3. S.O. 01.11.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 347/2018
(Shri Anil Y. Thombre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 and 2. None present for respondent No. 3.

2. At the request of learned Advocate for the applicant, S.O. 11.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 351/2018
(Shri Vishnu J. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes, learned Advocate holding for Shri Joslyn A. Menezes, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the issue involved in the present O.A. is pending before the Hon'ble High Court and therefore, she seeks time. Time granted.

3. S.O. 29.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 358/2018
(Shri Haseeb Ur. Rehman Khan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

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

3. S.O. 30.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 359/2018
(Shri Sunil M. Bandawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for
filing affidavit in reply on behalf of respondents.

Time granted as a last chance.

3. S.O. 30.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 360/2018
(Shri Md. Abdul Sami V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate
for the applicant and Smt. Deepali S. Deshpande,
learned Presenting Officer for respondents.

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

3. S.O. 30.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 361/2018
(Shri Anil G. Toranekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

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

3. S.O. 30.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 382/2018
(Shri Sayanna N. Aadpod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents.

Time granted as a last chance.

3. S.O. 25.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 403/2018
(Shri Ravi S. Shirame V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

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

3. S.O. 17.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 511/2018
(Shri Dnyanoba K. Shingire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

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

3. S.O. 26.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**M.A. No. 09/2018 in O.A. No. 929/1999
(Shri Narayan N. Wakchaure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Shri S.N. Suryawanshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A.

3. It transpires from proceedings that already ample opportunities were given to the respondents for filing affidavit in reply, but they have failed to file affidavit in reply in time. There is no just ground to grant further time for filing affidavit in reply. In the interest of justice, time is granted for filing affidavit in reply, subject to payment of costs of Rs. 2000/- (Two Thousand Only). The amount of costs shall be deposited in the Registry of this Tribunal.

4 S.O. 17.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**M.A. No. 68/2018 in O.A. No. 15/2017
(Shri Subhash M. Sonwane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted as a last chance.

3. S.O. 17.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**M.A. No. 82/2018 in O.A. St. No. 327/2018
(Dr. Sanjay P. Biradar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Shri S.K. Chavan, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A.

3. It transpires from proceedings that already ample opportunities were given to the respondents for filing affidavit in reply, but they have failed to file affidavit in reply in time. There is no just ground to grant further time for filing affidavit in reply. In the interest of justice, time is granted for filing affidavit in reply, subject to payment of costs of Rs. 1000/- (One Thousand Only). The amount of costs shall be deposited in the Registry of this Tribunal.

4 S.O. 08.10.2018.

5. Steno copy allowed to the learned P.O. at his request.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 319/2017
(Shri Parsharam W. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. It transpires from proceedings that the applicant and his Advocate remained absent on previous date also. Today the present O.A. is fixed for final hearing, but none present for the applicant. It seems that the applicant is not interest in prosecuting the present O.A. Hence, the O.A. stands dismissed in default with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 849/2017
(Smt. Shashikala G. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Presenting Officer has placed on record a copy of G.R. dated 07.03.2018. Same is taken on record and marked as document-'X' for the purposes of identification.

3. At the request of learned Advocate for the applicant, S.O. 17.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 650/2017
(Shri Subhash B. Choudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. At the request and by consent of both the
parties, S.O. 17.10.2018.

KPB ORAL ORDER 25-09-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 331/2018
(Shri Ranjitsing L. Rajput V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer for the respondents, S.O. 01.10.2018.

MEMBER (J)

KPB ORAL ORDER 25-09-2018

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

**ORIGINAL APPLICATION NO. 305/2018
(Smt. Aruna S. Bhingardive & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent Nos. 1 & 2 and Shri S.S. Dambe, learned Advocate for respondent No. 11.

2. On perusal of the report of Assistant Registrar dated 01.09.2018, it reveals that notices to the respondent Nos. 3 to 17 by R.P.A.D. have not been served. The applicant has produced documents along with service affidavit i.e. tracking report, which shows that the items have been delivered at Aurangabad (MH) H.O. It is not a proper service on the concerned respondents.

3. Therefore, the applicant is directed to furnish current status regarding the service of

notices on the respondent Nos. 3 to 17. In case, the notices are not served, the applicant has to take appropriate steps for service of notices on the respondents Nos. 3 to 17.

4. Learned Advocate for the applicant has prayed to grant time to file service affidavit.

5. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

6. S.O. 31.10.2018 for filing service affidavit of respondent Nos. 3 to 17.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 600/2017
(Smt. Lata B. Darade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has placed on record a copy of communication dated 24.09.2018 received to his office from Assistant Police Commissioner (Administration), Aurangabad city along with accompanying documents. Same are taken on record and marked as document-'X' collectively for the purposes of identification.

3. Learned Presenting Officer has submitted that the papers regarding revision preferred by the applicant have been burnt in the fire in Mantralaya in the year 2012 and therefore, it is not possible to produce the original record.

4. Learned Advocate for the applicant has submitted that the impugned order has been passed on 09.12.2015 and there is no mention in the said order that the concerned authority had perused the revision petition of the applicant and other relevant record and thereafter passed the impugned order. He has submitted that the respondents are intentionally avoiding to produce the original record.

5. On perusal of the impugned order dated 09.12.2015, it reveals that the revision filed by the applicant has been partly allowed and punishment has been modified. On perusal of the said order, it reveals that the concerned authority had perused the record regarding the said revision. He has also considered the revision petition of the applicant and correspondence made by the Deputy Commissioner of Police, Aurangabad and the Director General of Police, Mumbai. There is no dispute about the fact that the fire was occurred in Mantralaya in the year 2012 and some files

had been burnt. But the present revision has been decided thereafter in the year 2015. Hence, the question of burning the record in respect of the revision filed by the applicant does not arise. Apparently, it seems that the concerned Desk Office, Home Department, Mumbai, has made a false statement in that regard in his communication dated 04.09.2018 that the entire record in the revision filed by the applicant has been burnt. In fact, the revision of the applicant has been decided in the year 2015, which is after incidence of fire occurred in Mantralaya.

6. Therefore, issue show cause notice to Shri T.S. Bhosle, Desk Officer, Maharashtra State, Home Department, Mumbai as to why the action should not be taken against him for making false statement regarding burning of record.

7. S.O. 12.10.2018.

MEMBER (J)

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

C.P.NO. 67/2018 IN O.A.NO. 158/2017

[Dr. Surekha V. More Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.
2. Issue notices to the respondent Nos. 1 & 3 in C.P. No. 67/2018, returnable on 23rd October, 2018.
3. It appears that despite the service of personal notice on the respondent Nos. 1 & 3, the present applicant is not relieved from the post to enable her to join new posting as Assistant Professor. In the circumstances, these respondents are directed to immediately comply with the said direction, failing which the necessary action shall follow including imposition of heavy costs on them.
4. S.O. to 23rd October, 2018.
5. Learned Presenting Officer to act on the steno copy.

MEMBER (A)

VICE CHAIRMAN

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

C.P.NO. 62/2018 IN O.A.NO. 941/2017

[Dr. Pushpa W. Salunke Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed a copy of communication dated 19th September, 2018 received to him and the same is taken on record and marked as document 'X' for the purpose of identification.

3. Perusal of the aforesaid communication would show that the respondent authorities intend to challenge the order passed by this Tribunal in O.A. No. 941/2017 before the Hon'ble Bombay High Court Bench at Aurangabad by filing Writ Petition. The respondent authorities however, fail to understand that the original applicant / employee has already died and, therefore, her legal heirs filed the present application for dealing with the contempt against the respondents. One fails to understand as to how the notice of voluntary retirement of the deceased employee now can be challenged by the

respondents when the said employee has died. The respondents are, therefore, directed to take immediate steps for acting on the order passed in the O.A., failing which the respondent officer would be called before this Tribunal to explain the matter.

4. With the above, S.O. to 15th October, 2018.
5. The learned Presenting Officer to act on steno copy.

MEMBER (A)
ORAL ORDERS 25.09.2018-HDD

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 583 OF 2014

[Shri Bhausahab S. Gaikwad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks one week's time for filing written notes of arguments. Time granted.
3. S.O. to 8th October, 2018 for filing written notes of arguments.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

ORIGINAL APPLICATION NO. 34 OF 2018

[Shri Kishor B. Khedkar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant, Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri M.B. Kolpe, learned Advocate for respondent Nos. 4 & 5. Shri B.N. Gadegaonkar, learned Advocate for respondent No. 6 (**absent**).

2. Learned Advocate Shri M.B. Kolpe has filed affidavit in reply on behalf of respondent Nos. 4 & 5 and the same is taken on record and the copy thereof has been served on the other side.

3. None appears for respondent No. 7 though duly served and no affidavit in reply has been filed on his behalf. In the circumstances, the present O.A. be proceed further without affidavit in reply of respondent No. 7.

4. S.O. to 17th October, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 202 OF 2018

[Shri Ashok R. Khandagale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri S.R. Sapkal, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.
2. Admit.
3. Learned Presenting Officer waives notice.
4. S.O. to 30th October, 2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

ORIGINAL APPLICATION NO. 267 OF 2018

[Dr. Shrikant C. Pathak Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant submits that the similar O.A. Nos. 280/2018 TO 284/2018 are fixed on 27th September, 2018 and requested that the present O.A. be placed on the said date.
3. Learned Presenting Officer seeks time to file affidavit in reply. The present O.A. be placed along with the O.A. Nos. 280/2018 to 284/2018. The necessary orders would be passed on the next date.
4. S.O. to 27th September, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

ORIGINAL APPLICATION NO. 297 OF 2018

[Shri Ajay R. Umale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Shri Vijay V. Deshmukh, learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer has filed additional affidavit on behalf of respondent Nos. 1 to 4 and the same is taken on record.

3. In view of the above, S.O. to 24th October, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

ORIGINAL APPLICATION NO. 484 OF 2018

[Shri Rama L. Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 23rd October, 2018 for filing rejoinder affidavit.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

ORIGINAL APPLICATION NO. 504 OF 2018

[Shri Rajendra D. Jamwadikar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that during the course of the day affidavit in reply on behalf of all the respondents would be filed. The copy thereof be served on the learned Advocate for the applicant.
3. Since learned Presenting Officer is going to file affidavit in reply on behalf of all the respondents, no need to wait for service for respondent No. 4
4. In view of the above, S.O. to 25th October, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

ORIGINAL APPLICATION NO. 594 OF 2018

[Dr. Kavita K. Shende & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri G.V. Mohekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned Chief Presenting Officer has filed a copy of communication dated 24.9.2018 received to him in response to the order passed by this Tribunal dated 16.8.2018 and the same is taken on record and marked as document 'X' for the purpose of identification.
3. It is explained in the said communication that the present applicant was not an ad hoc employee, but was on stipend as a student.
4. Learned Advocate for the applicant, as well as, learned Chief Presenting Officer, seek time to file on record the rules regarding the stipend etc. At their request, S.O. to 16th October, 2018. 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. 690 OF 2018

[Shri Pramod A. Kulkarni Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri K.B. Jadhav, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. Since learned C.P.O. wants to file affidavit in reply on behalf of respondent No. 1, no need to wait for service for respondent No. 1.

4. S.O. TO 9th October, 2018 for filing affidavit in reply on behalf of respondent No. 1.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

M.A. 93/17 WITH M.A.409/14 IN O.A.ST. 1452/2014

[Smt. Manjushree B. Deshpande Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Shri H.A. Joshi, learned Advocate for the applicant has filed leave note. Smt. M.S. Patni, learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 29th October, 2018 for hearing on the line of the order dated 20.03.2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

M.A. 162/17 WITH M.A.139/17 IN O.A. 136/2017
[Mrs. Madhuri B. Banait Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. S.O. to 25th October, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

M.A.NO. 106/2018 IN O.A.NO. 321/2017

[Smt. Manisha P. Jagtap Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri P.A. Kulkarni, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. This is an application filed by applicant for restoration of O.A. No. 321/2017, which was dismissed in default by this Tribunal by order dated 27.02.2018.
3. For the reasons stated in the present Misc. Application, the same is allowed and the Original Application No. 321/2017 is restored to its original file. Accordingly, the present M.A. stands disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

ORIGINAL APPLICATION NO. 321 OF 2017

[Smt. Manisha P. Jagtap Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri P.A. Kulkarni, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. S.O. to 8th October, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

M.A.NO. 509/2017 IN O.A.ST.NO. 1671/2017

[Shri Sambhaji S. Patil Vs. State of Maharashtra & Ors]

WITH

M.A.NO. 510/2017 IN O.A.ST.NO. 1672/2017

[Shri Ravindra B. Wandhekar Vs. State of Maharashtra & Ors]

WITH

M.A.NO. 511/2017 IN O.A.ST.NO. 1673/2017

[Shri Mangesh A. Gurav Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri S.K. Chaudhari, learned Advocate holding for Shri N.K. Chaudhari, learned Advocate for the applicants in all these cases and Shri M.S. Mahajan, Smt. M.S. Patni & Smt. Sanjivani Deshmukh-Ghate, learned Chief Presenting Officer & learned Presenting Officers for the respective respondents in respective cases.

2. Learned Chief Presenting Officer & learned Presenting Officers submit that during the course of the day affidavit in reply would be filed in all these cases. The copies of the same be served on the learned Advocate for the applicant.

3. S.O. to 16th October, 2018 for hearing.

MEMBER (A)
ORAL ORDERS 25.09.2018-HDD

VICE CHAIRMAN

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

O.A.NO. 474/2015 WITH O.A.NO. 740/2016

[Shri Nagorao K. Gaikwad & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri R.K. Ashtekar, learned Advocate for the applicants in both these cases and Smt. M.S. Patni & Shri B.S. Deokar, learned Presenting Officers for the respective respondents in respective cases.

2. The submissions from both the sides would show that in order to be eligible for promotion for the post of Circle Inspector from the post of Talathi, the Talathi is required to pass 2 examinations. First examination is called "Divisional Departmental Examination" and thereafter another examination is called "Revenue Qualifying Examination", within certain period and within certain attempts. None of the parties, however, filed on record rules regarding first of the examination i.e. Divisional Departmental Examination. The same is necessary to appreciate the rival submissions. In the circumstances, both sides are directed to file on record those rules as applicable at the relevant time on or before 28th September, 2018.

3. S.O. to 28th September, 2018 for filing on record copy of relevant rules.

MEMBER (A)
ORAL ORDERS 25.09.2018-HDD

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 430 OF 2017

[Shri Chous Galeb Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 3rd October, 2018 for filing short affidavit in reply on the line of the order dated 04.09.2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

ORIGINAL APPLICATION NO. 661 OF 2017

[Shri Shailesh S. Kapse Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri Umesh B. Gite, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks permission of this Tribunal to correct the name of the applicant in the index & synopsis. Permission granted. The learned Advocate for the applicant shall correct the name of the applicant during the course of the day.

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

4. S.O. to 29th October, 2018 for filing affidavit in rejoinder.

MEMBER (A)

VICE CHAIRMAN

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

O.A.NOS. 660 TO 664 ALL OF 2018

[Smt. Kalpana B. Padwal & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Shri Sudhir K. Chavan, learned Advocate for the applicants in all these cases (**absent**). Shri M.S. Mahajan & Mrs. Priya R. Bharaswadkar, learned Chief Presenting Officer & learned Presenting Officer for the respective respondents in respective cases.

2. Read the order dated 4.9.2018. The applicant was directed to take instructions regarding withdrawal, if any of the present OAs. In view of the absence of the applicants and their learned Advocate since long, the present OAs are dismissed in default without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 25.09.2018-HDD

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

M.A.NO. 349/2018 IN O.A.NO. 421/2018

[Shri Manoj S. Thakur Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri M.A. Golegaonkar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. This is an application filed by the applicant for condonation of delay of 8 days caused in filing the present M.A. and also for restoration of O.A. No. 421/2018 to its original file.

3. For the reasons stated in the present M.A., the same is allowed and the delay of about 8 days caused in filing the present M.A. for restoration of O.A. is hereby condoned and for the same reasons the O.A. No. 421/2018 is also restored to its original file.

4. Accordingly, the present M.A. No. 349/2018 stands disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 421 OF 2018

[Shri Manoj S. Thakur Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri M.A. Golegaonkar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Upon restoration of O.A., issue notices to the respondents, returnable on 23rd October, 2018.
3. Tribunal may take the case for final disposal at once 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

O.A. NO. 421 OF 2018

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 23rd October, 2018.

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

MEMBER (A)

VICE CHAIRMAN

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

M.A.NO. 351/2018 IN O.A.NO. 330/2017

[Shri Dinesh S. Thakur Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri M.A. Golegaonkar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. This is an application filed by the applicant for condonation of delay of 10 months caused in filing the present M.A. and also for restoration of O.A. No. 330/2017 to its original file.

3. For the reasons stated in the present M.A., the same is allowed and the delay of about 10 months caused in filing the present M.A. for restoration of O.A. is hereby condoned and for the same reasons the O.A. No. 330/2017 is also restored to its original file.

4. Accordingly, the present M.A. No. 351/2018 stands disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 330 OF 2017

[Shri Dinesh S. Thakur Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 25.09.2018.

ORAL ORDER :

1. Heard Shri M.A. Golegaonkar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Upon restoration of O.A., issue notices to the respondents, returnable on 22nd October, 2018.

3. Tribunal may take the case for final disposal at once 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

O.A. NO. 330 OF 2017

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 22nd October, 2018.

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

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 463/2013
(Digambar M. Pandit 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 : 25.9.2018

ORAL ORDER :

Heard Shri P.R. Tandale, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned P.O. points towards para 9 of the additional affidavit reply filed by res. no. 2 in response to the order dtd. 11.6.2018. This additional reply would show that in the next of the advertisement no suitable candidate was found and, therefore, no recruitment was made.

3. In the circumstances, S.O. to 4.10.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 25-9-2018

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

**ORIGINAL APPLICATION NO. 304/2014
(Popat K. Bachkar & 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 : 25.9.2018

ORAL ORDER :

Heard Shri S.R. Kolhare, learned Advocate holding for Shri B.R. Borkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of Shri Kolhare, learned Advocate holding for Shri Boakar, learned Advocate for the applicant, S.O. to 27.10.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 25-9-2018

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

**O.A.NOS. 553/2013 & 639, 640, 676, 681, 682, 803, 860, 864, 897,
905 TO 910 ALL OF 2012 AND 243, 259, 260 & 325/2013 AND
626/2014**

(Shri Rashid Sk Noor Patel & 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 : 25.9.2018

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicants in all these matters and S/shri S.K. Shirse & V.R. Bhumkar, learned Presenting Officers for respondents in all these matters.

2. Learned Advocate for the applicants submits that the issue is referred by the Hon'ble Supreme Court to the larger bench. He submits that the relevant material would be filed on the next date in order to find out whether decision on merit in these matters is required or the Tribunal is required to wait till decision from Hon'ble Supreme court.

3. In the circumstances, at the request of learned Advocate for the applicants, S.O. to 9.10.2018 for filing necessary documents on record and also for making submissions on the above line.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 146/2015
(Dulbha D. Dhakne 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 : 25.9.2018

ORAL ORDER :

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

2. Shri Wagh, learned Advocate holding for Shri Bondar, learned Advocate for the applicant seeks accommodation. It is to be noted that since long the present O.A. is being adjourned from time to time for the absence of applicant and his learned Advocate. In the circumstances, as a last chance, S.O. to 16.10.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 25-9-2018

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

**ORIGINAL APPLICATION NO. 374/2015
(Appasaheb B. Shinde 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 : 25.9.2018

ORAL ORDER :

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

2. In view of absence of applicant and his learned Advocate, S.O. to 17.10.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 25-9-2018

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

**ORIGINAL APPLICATION NO. 705/2015
(Prashant Shivajirao Sirsat 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 : 25.9.2018

ORAL ORDER :

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

2. By the present Original Application the applicant is claiming following reliefs :-

- A. *This Original Application may kindly be allowed.*
- B. *By holding and declaring the applicant as an eligible candidate, the applicant may kindly be selected for the post of Forest Guard from the date of publishing of selection list dated 28.08.2015 along with other consequential benefits thereon.*
- C. *To quash and set aside the impugned selection list and waiting list published by respondents for the post of forest guards dated 28.8.2015, in view of the facts and circumstances mentioned in the original application and in the interest of justice."*

3. The submissions from the side of the present applicant would show that, though the present applicant has secured less marks in physical test of running, than the 3 candidates, who are called for further process of selection, the present applicant had secured higher marks in 12th Science.

4. The advertisement as well as affidavit in reply of respondent nos. 2 & 3 would show that the running test for the post of Forest Guard was the screening test. It is clear from the document at Exhibit R. 2 page 111 that 1:3 candidates were called for the post from N.T.(D) category from which the present applicant applied and he being 4th one and, therefore, he could not be called for further selection process.

5. Para 13 of the affidavit in reply of res. nos. 2 & 3 reads as under :-

“13. Admittedly, one post of Forest Guard is reserved for N.T. (D) category therefore three candidates from said category were called for document verification who covered 5 km distance within short time from common merit list. Names of these three candidates are as under :-

Chest no.	Time consumed for running 5 KM
1291	19.3.55
1245	19.36.02
1248	19.36.57
1293 (Applicant)	25.10.59

The deponent states that the applicant was not amongst first three candidates and he was not called for document verification which was further stage of selection process. Copy of list of candidates who are held eligible for document verification is annexed at exh. R-2.”

6. In that view of the matter, since the present applicant had secured less marks in the physical test, it was, in fact, the screening test, the stand of the respondents not to call the present applicant for further selection process, cannot be faulted with.

7. 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**

**ORIGINAL APPLICATION NO. 614/2017
(Jeevan s/o Nivruttirao Wader 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 : 25.9.2018

ORAL ORDER :

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

2. By the present Original Application, the applicant is claiming following reliefs :-

- “A) *This original application be allowed.*
- B) *By passing appropriate orders, directions, the rule 10 (8) (b) of the Maharashtra Public Service Commission Rules of procedure (amendment) 2016 to the extent of making the waiting list operational for the period of one year from the date of declaration of result may kindly be declared as unconstitutional, illegal and against the settled position of law.*
- C) *By passing the appropriate order, directions the respondent Nos. 2 kindly be directed to recommend the name of applicant to appoint for the post of Assistant Public Prosecutor and respondent no. 1 be directed to appoint the applicant.*

OR

By passing the appropriate order, directions the respondent Nos. 1 and 2 be directed to increase the validity of waiting list be extended till the declaration of list of final selected candidates.”

3. The issue of lapse of waiting list and, therefore, denial of appointment to the applicant on the recommendation by the res. no. 2 to res. no. 1 for the concerned post is involved in the present matter.

4 Affidavit in reply of res. no. 2 and more particularly para 11 (iv) thereof would be material to consider the stand of res. no. 2 – the M.P.S.C. The said para 11 (iv) reads as under :-

“11 (iv). The final result of the post in issue was declared on 16.09.2016. Thus, considering the rule 10 (8) (b) (i) of the Rules of Procedure of the Commission, the waiting list of the said post was operative till 15.09.2017. The requisition for eligible candidates to be recommended from waiting list for the post in issue was sent by the Government to the Commission on 22.09.2017. Therefore it is clear that the demand of the candidates from the waiting list of the said post was made by the Government after the expiry of operative period of the waiting list. So the Commission vide its letter dated 17.10.2017, informed the Government that, as the waiting list of the said post is not operative, the Commission cannot recommend any candidate from the waiting list of the said post.

*Copies of the said letters dated 22.9.2017 and 17.10.2017 are attached herewith and marked as **Exhibit R-3 and R-4 respectively.**”*

5. It is an admitted fact that 4 selected candidates did not join the post and, therefore, the present applicant has filed applications on 1.3.2017 & 16.8.2017 (Annex. A. 8 collectively) and brought this fact to the notice of the State of Maharashtra for sending requisition to the res. no. 2 – the M.P.S.C. The State of Maharashtra, however, failed to take appropriate action, though the facts were brought to

its notice. In the meantime the period of one year as quoted above had lapsed and, therefore, stand of these respondents is that, since the waiting list has lapsed, the present applicant cannot be appointed on the post.

6. This issue is squarely dealt with by the Hon'ble Bombay High Court while delivering judgment in **Writ Petition No. 4257/2013 [Mr. Udaysing Jalamsing Valvi Vs. The Secretary, District Selection Committee, Raigad Z.P., Alibagh, Dist. Raigad & Ors.]** dtd. 22.1.2014. In para no. 9 of the said judgment, Hon'ble High Court has held as under :-

“9. The Government Circular in question so referred and read, just cannot be read to mean and/or permit the Respondents to deny the claim and/or deny the appointment, though post is vacant in that period of one year. The Respondents themselves failed to take action by not appointing the Petitioner and they kept the post vacant for undisclosed reason and/or for the reason, which in our view is not sufficient to deny the crystallized rights of the Petitioner for the post in question, as the appointed candidate failed to join the post within the prescribed period.”

7. In that view of the matter, the stand of the respondents in the present matter cannot be accepted. In the circumstances, we pass following order :-

ORDER

(i) The present O.A. is allowed and disposed of without any order as to costs.

(ii) The res. nos. 1 & 2 are directed to hold that the waiting list remained operative even after the period of one year from the date of its publication, because of non-joining of the regularly selected candidates.

(iii) In the circumstances, the res. no. 2 – the M.P.S.C. – is hereby directed to act on the requisition dtd. 22.9.2017 reference of which is made in the affidavit in reply of res. nos. 1 & 2 as quoted hereinabove and send the list of recommended candidates from the waiting list as per the rules to the res. no. 1 within the period of 4 weeks from the date of this order.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 167/2018 WITH O.A. 64/2018
(Bhagwan Shekuji 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 : 25.9.2018

ORAL ORDER :

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

2. In view of circulation note dtd. 21.9.2018 filed by the learned Advocate for the applicant, the present matter is taken on board.

3. At the time of circulation of M.A., it was pointed out by the learned Advocate for the applicant that the present M.A. bearing no. 167/2018 for restoration of O.A. no. 64/2018 is required to be allowed and thereafter upon restoration of O.A. the same would be withdrawn. It appears that, by the order dtd. 18.9.2018 inadvertently only M.A. was allowed to be withdrawn.

4. In the circumstances, the order dtd. 18.9.2018 is hereby recalled.

5. For the reasons stated in the present M.A. it is allowed and disposed of without any order as to costs and O.A. no. 64/2018 is restored to its original file.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. 64/2018
(Bhagwan Shekuji 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 : 25.9.2018

ORAL ORDER :

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

2. Upon restoration of O.A., in view of circulation note filed by the learned Advocate for the applicant dtd. 21.9.2018, the present O.A. is disposed of as withdrawn without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 25-9-2018