

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

ORIGINAL APPLICATION NO. 444/2017

(Shri Rajnikant R. Durge @ Rajnikant E. Mortate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the O.A., as he wants to approach before the competent Court seeking declaration regarding the status of adoption of son. Therefore, he prayed to grant leave of this Tribunal to withdraw the O.A. with liberty to approach this Tribunal with fresh cause of action.

3. Learned P.O. has no objection and prayed to pass necessary order.

4. Since, the applicant does not want to proceed with O.A. and wants to withdraw the same, leave as prayed for by the applicant is granted.

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O.A. No. 444/2017

5. In view thereof, the O.A. is disposed as withdrawn with liberty to approach this Tribunal with fresh cause of action. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 360/2017
(Shri Bandu A. Kapse V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri Anant Devkate, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

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

3. It transpires from the proceedings that the ample opportunities were given to the respondent Nos. 1 to 3 to file their affidavit in reply, but they have failed to file affidavit in reply in time. Not only this, but the respondents have sought time to produce on record a copy of the judgment of the Hon'ble High Court in case of similarly situated persons, but that judgment has also not been produced by the respondents. There is no just ground to grant further time for filing affidavit in reply of respondent Nos. 1 to 3.

However, in the interest of justice, a most last chance is granted to the respondent Nos. 1 to 3 for filing affidavit in reply, subject to payment of Costs of Rs. 5000/- (Five Thousand only). The amount of costs be deposited in the Registry of this Tribunal.

4. S.O. to 03.05.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 767/2016
(Shri Lalsaheb N. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks leave of this Tribunal to withdraw the present O.A. on instructions of the applicant.

3. Learned P.O. has prayed to pass necessary order.

4. Since, the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for by the applicant is granted.

5. In view thereof, the O.A. is disposed of as withdrawn with no order as to costs.

MEMBER (J)

FARAD CONTINUATION SHEET

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri S.P. Dhoble, learned Advocate holding for Shri R.K. Ashtekar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The applicant has filed the present Original Application claiming interest on the pension and gratuity amount in view of the provisions of Rule 129 (B) of the Maharashtra Civil Services (Pension) Rules, 1982 on the ground that there was delay in making payment of the said amount.

3. On perusal of contentions raised in the O.A., it reveals that the applicant retired on 31.05.2016 and pension was sanctioned on 15.06.2016. It seems that the pension papers have been processed in time and the pension was sanctioned immediately within a period of 15

days from the date of retirement of the applicant. No documents showing that there was administrative lapses on the part of the respondents in disbursing the amount of pension. In these circumstances, there is no merit in O.A. Therefore, the O.A. deserves to be rejected.

4. In view thereof, the O.A. is rejected with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 160/2017
(Shri Shamsundar B. Tapase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent No. 1 and Shri Shamsundar B. Patil, learned Advocate for respondent Nos. 2 to 5.

2. At the request of learned Advocate for the applicant, S.O. to 27.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 69/2018
(Shri Ajabrao R. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 & 2 and Smt. Suchita A. Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for respondent No. 3.

2. At the request of learned Advocate for the respondent No. 3, S.O. to 27.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 500/2017
(Shri Vijaysing P. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that he will file affidavit in reply during the course of the day.

3. S.O. to 03.05.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 104/2018 in O.A. NO. 625/2017 in Caveat 50/2017
(Shri Jitendra B. Jaiswal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri M.V. Bharuke, learned Advocate holding for Shri S.K. Chavan, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 to 6 and Shri K.B. Jadhav, learned Advocate for respondent No. 7.

2. At the request of learned Presenting Officer for the respondents, S.O. to 03.05.2018 for filing affidavit in reply in M.A.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 179/2018
(Dr. Tukaram M. Pichad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri A.S. Deshmukh, 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, S.O. to 03.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

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

**ORIGINAL APPLICATION NO. 180/2018
(Shri Harshwardhan G. Gawli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 03.05.2018.

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

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

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

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

7. S.O. to 03.05.2018.

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

MEMBER (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 186/2017
(Shri Uday R. Asardohakar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri S.R. Barlinge, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 & 6, present. Shri D.T. Devane, learned Advocate for respondent Nos. 2 to 5, absent.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 02.05.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 265/2017
(Dr. Suresh M. Karamunge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri A.N. Patil-Barhate, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 16.04.2018 for compliance of the order passed by this Tribunal on 27.02.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

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

**ORIGINAL APPLICATION NO. 275/2017
(Shri Mohd. Asfiouddin & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri A.N. Patil-Barhate, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 3. Shri S.E. Madne, learned Advocate for respondent No. 4, absent.

2. Today, the learned Presenting Officer has placed on record a copy of order passed in **W.P. No. 10353 of 2016 with W.P. No. 10551 of 2016** in case of **Namdeo R. Kosale Vs. The State of Maharashtra and Ors.** on **07.12.17.** Same is taken on record and marked as document 'X' for the purposes of identification.

3. At the request of learned Presenting Officer for the respondents, S.O. to 16.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 654/2017
(Shri Nilesh G. Khamkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri A.N. Patil-Barhate, learned Advocate holding for Shri S.S. Chapalgaonkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

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

3. S.O. to 16.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 789/2017
(Shri Tejrao P. Wagh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 3. Same is taken on record and the copy thereof has been served on learned Advocate for the applicant.

3. S.O. to 12.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 790/2017
(Shri Gulab S. Khandare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

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

3. S.O. to 12.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 792/2017
(Shri Syed Abdul Wahid V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and the copy thereof has been served on learned Advocate for the applicant.

3. S.O. to 12.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 791/2017
(Shri Bhikaji D. Gadekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a most last chance.

3. S.O. to 12.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 803/2017
(Dr. Somnath V. Tekade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

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

3. S.O. to 16.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 924/2017
(Shri Sudhakar R. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

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, as a last chance, S.O. to 11.04.2018 for compliance of the order dated 15.12.2017.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 925/2017
(Shri Mahadeo B. Khandare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

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

3. S.O. to 23.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 940/2017
(Shri Chandrashekhar Gangurde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks tie to file service affidavit. Time granted.
3. S.O. to 05.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 775/2017

(Shri Dilip N. Sangale & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

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

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

3. S.O. to 05.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 778/2017

(Shri Parshuram S. Bramhne & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri Sudhir Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

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

3. S.O. to 05.04.2018.

MEMBER (J)

KPB ORAL ORDER 27-03-2018

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

**ORIGINAL APPLICATION NO.948/2017
(Neha Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Shri H.P.Jadhav learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for respondents is present.

2. Learned P.O. states that reply of respondent no.1 is not necessary and he does not wish to file reply of respondent no.1.

3. Learned P.O. seeks time to file affidavit in reply on behalf of respondent nos.2 to 4. Time is granted as a last chance.

4. S.O. to 17-04-2018.

MEMBER (J)

YUK ORAL ORDER 27-03-2018 F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.35/2018
(Akbar Mohammad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri M.S.Taur learned Advocate holding for Shri A.N.Kakde learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Learned Advocate for the applicant prays for issuance of fresh notice to the respondents.

3. Hence, issue fresh notice to the respondents, returnable on 03-05-2018.

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

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

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

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

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

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

MEMBER (J)

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

**ORIGINAL APPLICATION NO.70/2018
(Dadabhau Parte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Heard Ku. Preeti Wankhade 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 nos.2 and 3. It is taken on record. Copy thereof has been served on the other side.

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

4. S.O. to 02-04-2018.

MEMBER (J)

YUK ORAL ORDER 27-03-2018 F

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

**ORIGINAL APPLICATION NO.71/2018
(Dadabhau Parte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Shri M.S.Mahajan learned Chief 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 12-04-2018.

MEMBER (J)

YUK ORAL ORDER 27-03-2018 F

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

**ORIGINAL APPLICATION NO.83/2018
(Vyankat More & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

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

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

3. It seems that notice is not yet served on the respondent no.5. Learned Advocate for the applicant prays for issuance of fresh notice to respondent no.5.

4. Hence, issue fresh notice to the respondent no.5, returnable on 03-05-2018.

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

6. Applicant is authorized and directed to serve on respondent no.5 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.

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 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.

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

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

MEMBER (J)

YUK ORAL ORDER 27-03-2018 F

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

**ORIGINAL APPLICATION NO.84/2018
(B.B.Mhaske V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri H.V.Patil learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents.

2. Shri V.D.Rakh & Shri M.D.Gitte learned Advocates have filed Vakalatnama on behalf of respondent no.3. It is taken on record.

3. Learned Advocate for the applicant prays for issuance of fresh notice to respondent nos.1 and 3.

4. Hence, issue fresh notice to the respondent nos.1 and 3, returnable on 17-04-2018.

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

6. 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.

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 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.

9. S.O.to 17-04-2018.

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

MEMBER (J)

YUK ORAL ORDER 27-03-2018 F

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

**ORIGINAL APPLICATION NO.158/2018
(Dr. Yogesh Sathe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

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

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

3. S.O. to 16-04-2018.

MEMBER (J)

YUK ORAL ORDER 27-03-2018 F

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

**M.A.No.411/2017 IN O.A.St.No.1385/2017
(Y.T.Suryawanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof has been served on the other side.

3. Learned Advocate for the applicant seeks leave to amend prayer clause/s as applicant wants to challenge communication dated 29-08-2017 by which his representation has been rejected and he was denied benefit of Assured Career Progression Scheme.

4. Leave as prayed for is granted. Applicant shall carry out amendment within a week.

5. S.O. to 12-04-2018.

MEMBER (J)

YUK ORAL ORDER 27-03-2018 F

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

**M.A.No.412/2015 IN O.A.St.No.1484/2017
(Namdeo Wakude V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 12-04-2018.

MEMBER (J)

YUK ORAL ORDER 27-03-2018 F

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

M.A.NO. 51/2018 IN O.A.NO. 653/2017

[Dr. Datta M. Dhanve Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent No. 1. Shri Sachin Deshmukh, learned Advocate for respondent No. 2 (**absent**).

2. Learned Advocate for the applicant does not want to proceed with the present M.A. No. 51/2018 filed claiming amendment in the accompanying Original Application.

3. In view of the submissions made on behalf of the applicant, the present M.A. No. 51/2018 is disposed of as not pressed. There shall be no order as to costs.

MEMBER (J)

ORAL ORDERS 27.03.2018-HDD

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

ORIGINAL APPLICATION NO. 653 OF 2017

[Dr. Datta M. Dhanve Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent No. 1. Shri Sachin Deshmukh, learned Advocate for respondent No. 2 (**absent**).

2. Learned Advocate for the applicant has submitted that the applicant has filed the present Original Application for issuing directions to the respondent No. 2 to allow the applicant to join on the post of District Health Officer, Zilla Parishad, Hingoli, District Hingoli. The learned Advocate for the applicant has submitted that during the pendency of the present Original Application, the applicant came to be suspended in view of the order dated 30th October, 2017 and, therefore, the applicant does not want to proceed with the O.A. He, therefore, prayed to allow the applicant to withdraw the present Original Application with liberty to approach the Tribunal on fresh cause of action

3. Learned Presenting Officer has prayed to pass the necessary order.

:: - 2 - ::
O.A. NO. 653 OF 2017

4. The applicant does not want to proceed with the O.A. in view of the subsequent events happened and, therefore, he wants to withdraw the O.A. Therefore, leave is granted to the applicant to withdraw the O.A.

5. In view of the submissions made on behalf of the applicant, the present Original Application is disposed of as withdrawn with liberty to the applicant to approach the Tribunal on fresh cause of action. There shall be no order as to costs.

MEMBER (J)

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

M.A.NO. 85/2018 IN O.A.NO. 499/2017

[Shri Gokulsing E. Patil Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri Chetan Jadhav, learned Advocate holding for Shri Ajay D. Pawar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The applicant has challenged the selection and appointment of the respondent No. 4 on the post of Police Patil of village Shevage Bk., Tq. Bodhwad, District Jalgaon by filing the accompanying Original Application. Thereafter, the respondent No. 3 issued the appointment order to the respondent No. 4 on 11.7.2017. The applicant wants to challenge the said order by making the amendment in the O.A.

3. The proposed amendment is based on the consequential events took place after rejection of the objection raised by the applicant by the Sub Divisional Officer, Bhusawal, Dist. Jalgaon. The amendment is formal in nature. It will not cause prejudice to the rights of the respondents. Therefore, the proposed amendment requires to be allowed. Hence, the present M.A. No. 85/2018 is allowed.

**M.A.NO. 85/2018 IN
O.A.NO. 499/2017**

4. The applicant shall amend the O.A. accordingly. The applicant undertakes to carry out the amendment in the O.A. within a period of one week.

5. Accordingly, the present M.A. No. 85/2018 stands disposed of with no order as to costs.

MEMBER (J)

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

ORIGINAL APPLIATION NO. 499 OF 2017

[Shri Gokulsing E. Patil Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri Chetan Jadhav, learned Advocate holding for Shri Ajay D. Pawar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. S.O. to 17th April, 2018.

MEMBER (J)

ORAL ORDERS 27.03.2018-HDD

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

ORIGINAL APPLIATION NO. 599 OF 2017

[Shri Shriramsingh D. Pardeshi Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri N.K. Pardeshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has produced the copy of Gratuity Payment Order dated 11th January, 2018, Pension Payment Order dated 11th January, 2018, copy of communication dated 26th February, 2018 received from Superintendent of Police, Ahmednagar, regarding sanction of gratuity and pension to the applicant and the copy of order dated 26th September, 2017 passed by the Superintendent of Police, Ahmednagar treating the suspension period of the applicant as duty period and payment of salary and allowances of that period. The copies thereof are taken on record and marked as document 'X' collectively.

3. Learned Advocate for the applicant has submitted that the applicant has received the gratuity amount and pension. He has also submitted that the suspension period of the

O.A.NO. 599 OF 2017

applicant has been treated as duty period. Therefore, he prayed to pass the necessary order.

4. On considering the documents on record, it reveals that the pension papers of the applicant has been processed by the respondents and the pensionary benefits have been extended to him as prayed for by him in the prayer clause 9 (B) of the O.A. Not only this, but the necessary orders regarding the suspension period has also been passed by the Superintendent of Police, Ahmednagar and the said period has been treated as duty period. The Superintendent of Police, Ahmednagar, has also issued the orders to pay amount of pay and allowances regarding the suspension period. Accordingly, prayer clause 9 (C) claimed by the applicant has been satisfied.

5. Since both the reliefs claimed by the applicant have been satisfied, nothing remains in the present Original Application. Hence, the same is disposed of accordingly with no order as to costs.

MEMBER (J)

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

ORIGINAL APPLIATION NO. 328 OF 2016

[Shri Kalidas N. Jadhav Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Shri G.J. Kore, learned Advocate for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer for the respondents seeks time to take instructions and file short affidavit of the respondents as directed by this Tribunal by the earlier order dated 16.03.2018. Time granted.

3. S.O. to 6th April, 2018.

MEMBER (J)

ORAL ORDERS 27.03.2018-HDD

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

ORIGINAL APPLIATION NO. 145 OF 2016

[Shri Ramrao B. Dhakne Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, 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 28th March, 2018 for taking instructions from the applicant.

MEMBER (J)

ORAL ORDERS 27.03.2018-HDD

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLIATION NO. 208 OF 2017**

[Shri Marathwada Sarva Shramik Sanghatana & Ors. Vs. State of
Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that this Tribunal had decided O.A. No. 593/2016 & 651/2016 of the similarly situated persons claiming similar relief on 19.07.2017 and dismissed the O.A. He has submitted that the applicants in those OAs have challenged the orders passed by this Tribunal in Writ Petition Nos. 10149 & 10180 both of 2017 before the Hon'ble Bombay High Court Bench at Aurangabad. He has submitted that those writ petitions have been heard by the Hon'ble High Court finally on 16.02.2018 and matters are reserved for orders. He has submitted that since identical issue is involved in the earlier OAs decided by this Tribunal and the present Original Application & the matter is subjudice before the Hon'ble High Court, it is just and proper to grant four weeks' time to produce the judgment of the Hon'ble High Court after the decision in W.P. Nos. 10149 & 10180 both of 2017.

O.A. NO. 208 OF 2017

3. Learned Presenting Officer has no objection to grant four weeks' time.
4. In view of the submissions made on behalf of the applicant, S.O. to 2nd May, 2018.

MEMBER (J)

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLIATION NO. 209 OF 2017**

[Shri Marathwada Sarva Shramik Sanghatana & Ors. Vs. State of
Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that this Tribunal had decided O.A. No. 593/2016 & 651/2016 of the similarly situated persons claiming similar relief on 19.07.2017 and dismissed the O.A. He has submitted that the applicants in those OAs have challenged the orders passed by this Tribunal in Writ Petition Nos. 10149 & 10180 both of 2017 before the Hon'ble Bombay High Court Bench at Aurangabad. He has submitted that those writ petitions have been heard by the Hon'ble High Court finally on 16.02.2018 and matters are reserved for orders. He has submitted that since identical issue is involved in the earlier OAs decided by this Tribunal and the present Original Application & the matter is subjudice before the Hon'ble High Court, it is just and proper to grant four weeks' time to produce the judgment of the Hon'ble High Court after the decision in W.P. Nos. 10149 & 10180 both of 2017.

O.A. NO. 209 OF 2017

3. Learned Presenting Officer has no objection to grant four weeks' time.
4. In view of the submissions made on behalf of the applicant, S.O. to 2nd May, 2018.

MEMBER (J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No. 488 & 489 both of 2016.

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Smt. Suchita Dhongde learned Advocate holding for Shri S. D. Dhongde learned Advocate for the applicants in both the matters and Shri M. P. Gude learned Presenting Officer for respondents in both the matters.

2. Smt. Suchita Dhongde learned Advocate holding for Shri S. D. Dhongde learned Advocate for the applicants seeks time. At her request, S.O. to 23.4.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

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

O.A. St. No.425/2018.
(Shri V. S. Bagde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. In view of the fact that, the D.E. itself is challenged the objection regarding the maintainability of the O.A. does not survive.

3. Issue notice to the respondents, returnable on 5.6.2018.

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

5. Applicant is authorized and directed to

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

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

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

8. Considering the fact that the applicant himself is the complainant on the basis of which a criminal case is lodged under the

Prevention of Corruption Act and the present applicant is facing the impugned D.E. on the ground that, he has paid / agreed to pay the bribe, without going into merit in the case presently interim relief in terms of prayer clauses “A & B” is hereby granted until further orders, which runs as under :-

- “A) Pending hearing and final disposal of this original application, the respondent no.3 be restrained from proceeding in the departmental enquiry on the basis of the imputation of misconduct/charges dated 28.2.2018 and additional charges dated 15.3.2018.**
- B) Pending hearing and final disposal of this original application, the suspension order dated 15.3.2018 may kindly be stayed.”**

9. S.O. to 24.4.2018.

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

VICE CHAIRMAN.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No.173/2018.

(Samta R. Lokhande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri A. D. Kawre learned Advocate holding for Shri Y. P. Deshmukh learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 03.04.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No.700/2012.

(Shri A. A. Siddique V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri A. D. Kawre learned Advocate holding for Shri Y. P. Deshmukh learned Advocate for the applicant and Smt R. S. Deshmukh learned Presenting Officer for respondents.

2. Shri A. D. Kawre learned Advocate holding for Shri Y. P. Deshmukh learned Advocate for the applicant seeks time. At his request S.O. to 25.04.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No.274/2017.

(Shri A. A. Beedkar & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri A. D. Kawre learned Advocate holding for Shri Y. P. Deshmukh learned Advocate for the applicant and Shri N. U. Yadav learned Presenting Officer for respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 25.04.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No.95/2017.

(Shri B. J. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Smt. S. A. Dhongde learned Advocate holding for Shri S. D. Dhongde learned Advocate for the applicant seeks time. At her request, S.O. to 23.4.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No.496/2017.

(Varsharani S. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

None present for the applicant. Shri I. S. Thorat learned Presenting Officer for respondents is present.

2. Since nobody appears for the applicant, S.O. to 4.4.2018 for hearing.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No. 517/2017.

(Shri A. S. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri S. B. Bhosale learned Advocate for the applicant and Shri I. S. Thorat learned Presenting Officer for respondents.

2. The learned P.O. seeks time to file reply to the amended O.A. At his request, S.O. to 24.4.2018. Interim relief to continue till then.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No. 614/2017.

(Shri J. N. Wader V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri Amol Patale learned Advocate holding for Shri P. P. Uttarwar learned Advocate for the applicant and Shri M. S. Mahajan learned Chief Presenting Officer for respondents.

2. Learned C.P.O. seeks time to file reply of respondent no.2. Learned Advocate for the applicant submits that, last chance was already granted to the learned C.P.O. to file reply. However, in the interest of justice one more chance is granted to the learned P.O. to file reply of respondent no.2. In case no reply is filed on the next date the Tribunal would be constrained to take penal action as may be deemed fit.

3. S.O. to 18.4.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

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

O.A. No. 251/2017.

(Dr. S. P. Toshniwal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. S.O. to 18.4.2018 for making submissions by both the sides on the line of the order dated 27.2.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No. 693/2017.

(Shri Y. S. Mulay V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Learned P.O. files on record affidavit in reply of respondents no.1 to 4. The same is accepted. Copy served on the other side. S.O. to 17.4.2018 for hearing.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. Nos. 841, 842, 846, 851 and 900 all of 2017.

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard with consent Miss Preeti Wankhade learned Advocate for the applicants in all the matters and Shri M. S. Mahajan learned Chief Presenting Officer for respondents in all the matters.

2. The learned C.P.O. files on record the copy of the communication marked as "X" for the purpose of identification received to him along with the copy of the decision taken by the concerned respondent on 16.1.2018 in pursuance of the order of this Tribunal dated 28.11.2017.

3. The learned Advocate for the applicants submits that, since only the decision is taken and its implementation is remained, the present

applications can be disposed of with direction to the concerned respondent to implement the decision within a time framed.

4. Since submissions are reasonable the Original Applications are disposed of without any order as to costs with a direction to the concerned respondent to implement the decision dated 20.1.2018 within a period of three months from the date of this order.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No.899/2017.

(Dr. Vandana S. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

None present for the applicant. Shri M. S. Mahajan learned Chief Presenting Officer for respondents no. 1 to 3 is present. None present for the respondent no.4.

2. Nobody appears for the applicant on the last date also.

3. S.O. to 17.4.2018 either for hearing or for passing necessary orders.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No.412/2017.

(Shri P. R. Shelke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Shri V. B. Wagh learned Advocate holding for Shri A. B. Jagtap learned Advocate for the applicant seeks time. At his request, S.O. to 25.4.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No.738/2017.

(Shri R. B. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri P. D. Deshmukh learned Advocate holding for Dr. Swapnil D. Tawshikar learned Advocate for the applicant and Shri D. R. Patil learned Presenting Officer for respondents.

2. Learned P. O. seeks time to file reply of respondent no.1. At his request, S.O. to 20.4.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No. 904/2017.

(Sindhu Tukaram Mundhe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri P. G. Tamboli learned Advocate holding for Shri S. S. Jadhavar learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in reply. At his request, S.O. to 25.4.2018.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No. 327/2017.

(Shri Ajay Pofale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

Heard Shri S. P. Dhoble learned Advocate holding for Shri S. R. Dheple learned Advocate for the applicant and Shri V. R. Bhumkar learned Presenting Officer for respondents.

2. Shri S. P. Dhoble learned Advocate holding for Shri S. R. Dheple learned Advocate for the applicant seeks time. At his request, S.O. to 24.4.2018. Ad interim relief granted earlier to continue till then.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD.

O.A. No. 760/2017.

(Shri J. A. Jangale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018.

ORAL ORDER :

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

2. Learned P.O. submits that, during course of the day reply would be filed on behalf of respondent no.1. Copy be served on the other side.

3. S.O. to 19.4.2018 for hearing.

VICE CHAIRMAN.

atp ORAL ORDER 27-03-2018

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

C.P. 3/2018 IN O.A. 114/2015

WITH

C.P. 4/2018 IN O.A. 115/2015

(Kamlakar D. Rajhans & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Smt. Vidhya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the matters.

2. The learned C.P.O. submits that the writ petition filed before the Hon'ble High Court is being circulated within a short period. At his request S.O. to 26.4.2018 for informing the progress in the said writ petition.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**ORIGINAL APPLICATION NO. 2/2018
(Anil H. Sarode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri Avinash S. Khedkar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 to 6 and Shri S.D. Joshi, learned Advocate for respondent no. 7.

2. The learned C.P.O. files on record affidavit in reply of res. nos. 3 & 4. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. Shri Joshi, learned Advocate seeks time to file affidavit in reply of res. no. 7. At his request, S.O. to 25.4.2018 for filing affidavit in reply of res. no. 7.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 60/2018
(Dr. Dilip C. Shejwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

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

2. The learned C.P.O. seeks time to file affidavit in reply of the respondents. The learned Advocate for the applicant files on record a copy of decision of Hon'ble High Court of Judicature at Bombay, Nagpur Bench in writ petition No. 6757/2017 dtd. 5.3.2018. It is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned C.P.O. for the respondents. The learned Advocate points towards the decision of this Tribunal at Nagpur Bench in O.A. nos. 42 & 75 both of 2016 dtd. 27th October, 2016 (Exh. A. 15 page 92) and submits that, the respondents will have now to merely implement the said decision in the case of the present applicant also as the issue involved in the present matter is already decided by this Tribunal as well as by the Hon'ble High Court.

3. In the circumstances, without filing any detailed affidavit in reply, the concerned respondents are directed to go through the decision of this Tribunal as well as Hon'ble High Court as mentioned supra and to take corrective steps, if any, and file report accordingly in this Tribunal.

If the concerned respondents come to the conclusion that no corrective steps can be taken despite the above decision, then a short affidavit explaining reasons therefor be filed on the next date.

4. S.O. to 25.4.2018.

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

VICE CHAIRMAN

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 65/2018
(Shivkanya R. Chopde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Smt. Shubhangi D. More, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent nos. 1 to 3.

2. The learned P.O. files affidavit in reply of res. no. 3. It is taken on record and copy thereof has been served upon the other side. She seeks time to file affidavit in reply of res. nos.1& 2.

3. Smt. Bhagwat, learned Advocate submits that she is under instructions to appear on behalf of res. no. 9. She seeks time to file affidavit in reply of res. no. 9. Shri M.B. Kolpe, learned Advocate has filed his V.P. for res. nos. 4 to 8. He also seeks time to file affidavit in reply of res. nos. 4 to 8. In the circumstances, at the request of learned Advocates for res. nos. 4 to 8 and 9 S.O. to 25.4.2018 for filing affidavit in replies of respective respondents. The interim relief granted earlier vide order dtd. 2.2.2018 to continue till then.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 92/2018
(Ravi R. Pimpale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri C.K. Shinde, learned Advocate
for the applicant and Smt. Deepali S. Deshpande,
learned Presenting Officer for respondents.

2. The learned P.O. files on record affidavit in
reply of res. no. 3. It is taken on record and copy
thereof has been served upon the learned
Advocate for the applicant. She submits that
presently affidavit in reply of res. nos. 1 & 2 is
not necessary. Hence, S.O. to 20.4.2018 for
hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**ORIGINAL APPLICATION NO. 100/2018
(Ramrao T. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to
5.6.2018 for filing affidavit in reply of the
respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

ORIGINAL APPLICATION NO. 125/2018
(Dnyaneshwar T. Sakhare & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri B.R. Kedar, learned Advocate for
the applicants and Smt. Deepali S. Deshpande,
learned Presenting Officer for respondents.

2. At the request of learned P.O. S.O. to
25.4.2018 for filing affidavit in reply of the
respondents. The interim relief granted earlier to
continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**M.A. 110/2017 IN O.A. ST. 233/2017
(Dr. Archana d/o Kartikrao Teltumbde @ Archana w/o Anilkumar Wahurwagh
V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

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

2. With the consent of all sides, S.O. to 24.4.2018 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**M.A. 466/2017 IN C.P. ST. 1579/2017 IN O.A. 156/2015
(Sahebrao A. Sormare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. The learned P.O. files on record communications received to her and the decision, which would show that extra ordinary leave as prayed by the applicant in the present O.A. is granted to him. It is taken on record and marked as document 'X' collectively for the purpose of identification and copy thereof has been served upon the learned Advocate for the applicant. The learned Advocate seeks time to take instructions from the applicant in this regard. At his request S.O. to 3.4.2018 for making submissions on the above line.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**M.A. 28/2018 IN O.A. 519/2017 WITH
M.A. 29/2018 IN O.A. 520/2017 WITH
M.A. 30/2018 IN O.A. 949/2017 WITH
O.A. 521/2017**

(Jitsingh L. Pardeshi & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri P.A. Salvi, learned Advocate holding for Shri A.C. Deshpande & S.S. Deve, learned Advocates for the applicants in respective matters and Shri N.U. Yadav, Smt. D.R. Patil, Smt. Sanjivani Deshmukh Ghate and Smt. Deepali S. Deshpande, learned Presenting Officers for respondents in respective matters.

2. At the request of learned P.Os. S.O. to 23.4.2018 for filing affidavits in reply of the respondents in respective matters.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

FARAD CONTINUATION SHEET

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

M.A. 8/2018 IN O.A. 55/2017
(Narsing R. Thakur V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri P.B. Salunke, 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, issue fresh notices to the respondents in the present M.A., returnable on 6.6.2018.

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

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

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

7. S.O. to 6.6.2018.

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

VICE CHAIRMAN

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

**M.A. 212/2016 IN O.A. ST. 664/2016
(Nandkishor C. Khicchi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri Nandkishor C. Khicchi,
applicant in person and Shri V.R. Bhumkar,
learned Presenting Officer for respondents.

2. With the consent of both the sides, S.O. to
20.4.2018 before the Division Bench for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

M.A. ST. 791/2017 IN O.A. 326/2016

WITH

**M.A. ST. 792/2017 IN O.A. 555/2015
(Madhav C. Padvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri F.R. Tandale, learned Advocate
for the applicant in both the matters and Shri
M.S. Mahajan, learned Chief Presenting Officer
for respondents in both the matters.

2. Since the Division Bench would be available
from the next month, the present matters be
placed before the Division Bench on 25.4.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

**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.

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

DATE : 27.03.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant submits that from Exh. R. 7 page 55 it can be seen that for each star only one mark is deducted as regards other candidates are concerned, but so far as the present applicant is concerned since there were 5 star and therefore only 5 marks could have been deducted. The learned P.O. submits that she would file additional reply of the concerned respondent to clarify the situation so that a query that was raised vide order dtd. 4.1.2018 before dismissal in default of the O.A. can be clarified. At her request S.O. to 24.4.2018 for filing additional reply by the concerned respondents on the above line.

VICE CHAIRMAN

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

**C.P. 13/2017 IN O.A. 2/2017
(Dattatraya K. Ubale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

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

2. The learned P.O. submits due to assembly
session, no instructions are received from the
concerned respondents. In the circumstances,
S.O. to 17.4.2018 for making submissions as
directed earlier.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**ORIGINAL APPLICATION NO. 77/2017
(Rajesh B. Yawalkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri Rajesh B. Yawalkar, applicant
in person and Shri S.K. Shirse, learned
Presenting Officer for respondents.

2. At the request of applicant in person, as a
last chance, S.O. to 20.4.2018 for taking
necessary steps or for passing appropriate order.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**M.A. 148/2016 IN O.A. 167/2016
(Kamel K. Inamdar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Shri K.G. Salunke, learned Advocate for the applicant has filed leave note. Smt. Resha S. Deshmukh, learned Presenting Officer for respondent no. 1 and Shri G.N. Patil, learned Advocate for respondent nos. 2 to 4, are present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 5.6.2018 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**M.A. 84/2018 IN O.A. 113/2012
(Bhagwat T. Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Shri K.G. Salunke, learned Advocate for the applicant has filed leave note. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 5.6.2018 for making submissions on the line of order dtd. 14.3.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**ORIGINAL APPLICATION NO. 598/2015
(Noorunnisa Begum V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Heard Dr. Smt. Kalpalata Patil –
Bharaswadkar, learned Advocate for the
applicant and Shri V.R. Bhumkar, learned
Presenting Officer for respondents.

2. Both the sides submit that decision on
merit in the present matter is required. In the
circumstances, at their request S.O. to 24.4.2018
for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 27-03-2018

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

**ORIGINAL APPLICATION NO. 395 OF 2015
(Shri Rajaram Jagannath Gaikwad & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

Heard Shri Ravi R. Bangar, learned Advocate for the applicants, Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 to 6 and Shri S.G. Kulkarni, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for respondent no. 7.

2. By the present original application the applicants are claiming that the respondents be directed to grant the promotional pay scale of Junior Engineer to them on completion of 12 years' continuous service with arrears of pay and allowances.

3. The issue involved in the present O.A. is already decided by the Division Bench of this Tribunal in O.A. no. 344/2014 on 5.12.2014 (Exh. A.7 page 55) as well as a contrary decision rendered by the Division Bench in another O.A. bearing no. 617/2014 decided on 2.12.2015 (Exh. R. 1 page 83) relied on by the respondents and upon all finalized by the Hon'ble High Court of Judicature at Bombay, Aurangabad Bench in W.P. no. 9279/2016 vide judgment dtd. 30.11.2017 (true copy filed today by the learned

Advocate for the applicants and marked as document 'X' for the purpose of identification).

4. It is not disputed that the present applicants as well as other similarly situated persons were benefited by up-gradation to the post of Civil Engineering Assistant (for short C.E.A.) in the Irrigation Department vide G.R. dtd. 31.1.1989 (Exh. R. 2 page 98). The said up-gradation is to the post of Civil Engineering Assistant. The issue is regarding grant of promotional scale of Junior Engineer to them upon completion of 12 years continuous service, subject to their fitness as per conditions for promotion.

5. All the applicants, though have not passed the professional examination, which was required for the promotion, as per the Circular of the year 1998 exemption was granted from passing the professional examination upon reaching 45 years by each of such employee.

6. In O.A. no. 344/2014 referred supra, the Division Bench of this Tribunal vide order dtd. 5.12.2014 upheld the claim of the Association of the Technical Assistants and gave following directions :-

“.....We therefore, dispose of this O.A. by directing the Respondents that they should be considered for grant of time bound promotion as well as benefits of the assured

promotion scheme by exempting them from passing of the professional examination as required under Rule 3 sub rule (a) of the 1998 Recruitment Rules for Junior Engineers on reaching 45 years' age, provided that the applicants meet all other criteria as per Schemes of time bound promotion.”

7. In O.A. no. 617/2014 referred supra relied on by the learned P.O., however, the Division Bench doubted the very existence of the Circular by terming it and other as letters dtd. 18.3.1998 & 18.6.1998, rejected the claim of some other employees.

8. Above all, we have the directions of the Division Bench of Hon'ble High Court in writ petition as detailed above. Reading of para 8 of the said judgment of Hon'ble High Court would show that this is not a singular instance wherein claim was allowed. In fact, the Division Bench relied over earlier order in W.P. no. 5182/2012 decided on 30.1.2014.

9. Considering the fact that the Division Bench of Hon'ble High Court had allowed the claim of the petitioners therein of grant of promotional pay scale relying on the Circulars / letters, the direction that was issued by the Division Bench of this Tribunal in O.A. no. 344/2014 as quoted earlier can also be granted in the present O.A. In the circumstances, I pass following order :-

ORDER

- (i) The Original Application is disposed of without any order as to costs.

- (ii) The respondents are directed to consider all the applicants for grant of time bound promotion as well as assured career progression scheme by exempting them from passing of the professional examination as required under Rule 3 Sub Rule (a) of the 1998 Recruitment Rules for Junior Engineers on reaching 45 years' age, provided that the applicants meet all other criteria as per schemes of time bound promotion.

- (iii) The respondents are directed to consider the cases of the present applicants as directed above within a period of 4 months' from the date of this order and the necessary orders shall be issued by them and the said orders shall be communicated to each of the applicants by Registered Post Acknowledgement Due, thereafter.

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 20/2015
(Shriniwas N. Tandale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.03.2018

ORAL ORDER :

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

2. The learned P.O. submits that the Office is facing problem as there is no direction from the Tribunal for taking corrective steps. It is to be noted that the issue involved in the present matter has already been decided by the Hon'ble High Court as well as by the Hon'ble Supreme Court, copies whereof are already filed on record by the learned Advocate long back i.e. on 13.12.2017.

3. In the circumstances, the concerned respondents are directed to go through the decisions of this Tribunal, Hon'ble High Court and the Hon'ble Supreme Court and to take corrective steps in the present matter on the line of those directions and file a report about the same before the Tribunal on the next date.

In case the concerned respondents come to the conclusion that for any other legal

impediment corrective steps as directed above cannot be taken, then a short affidavit explaining the reasons therefor be filed on the next date.

4. S.O. to 22.4.2018 for compliance from the side of respondents.

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

VICE CHAIRMAN