

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

**C.P.No.01/2017 in O.A.No.487/2014  
(Dr. Sunil Kulkarni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh 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 16-03-2018.

YUK ORAL ORDER 30-01-2018 AHJ F

**CHAIRMAN**

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

**C.P.No.03/2017 in O.A.No.830/2015  
(Dr. Balaji Manoorkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Shri K.G.Salunke learned Advocate for the applicant is **absent**. Shri M.P.Gude learned Presenting Officer for respondents is present.
  
2. Learned P.O. prays that hearing may be adjourned.
  
3. At his request, hearing is adjourned till 01-02-2018. S.O. to 01-02-2018.

**CHAIRMAN**

YUK ORAL ORDER 30-01-2018 AHJ F

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Shri V.G.Pingle learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.
2. Learned P.O. prays for 2 weeks' time. Time as prayed for cannot be granted.
3. Learned P.O. is directed to take instructions from the department in Mantralaya as to time frame within which the proposal shall be decided.
4. S.O. to 01-02-2018 for reply of the query.

**CHAIRMAN**

YUK ORAL ORDER 30-01-2018 AHJ F

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

**C.P.No.17/2017 IN O.A.No.63/2015  
(Saylu Nawod V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Shri S.D.Joshi learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.
  
2. At the request of learned Presenting Officer, S.O. to 28-02-2018.

YUK ORAL ORDER 30-01-2018 AHJ F

**CHAIRMAN**

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

**C.P.NO.16/2017 IN O.A.NO.396/1998  
(Chandulal Sheth V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Shri Girish Nagori learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.
  
2. At the request of learned Advocate for the applicant, S.O. to 16-02-2018.

YUK ORAL ORDER 30-01-2018 AHJ F

**CHAIRMAN**

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

**C.P.NO.15/2017 IN O.A.NO.554/2013  
(Dr. Ashok Biradar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.
  
2. By consent of the parties, S.O. to 01-02-2018.

YUK ORAL ORDER 22-01-2018 AHJ F

**CHAIRMAN**

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

**C.P.No.11/2017 in O.A.No.918/2010  
(Gayabai Pokale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Shri M.S.Bhosale learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents is present.
  
2. Since none is present for the applicant, S.O. to 16-02-2018.

YUK ORAL ORDER 30-01-2018 AHJ F

**CHAIRMAN**

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

**C.P.No.10/2018 in O.A.No.719/2016  
(Pandurang Chandanshiv V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Shri L.H.Kawale learned Advocate holding for Shri K.J.Suryavanshi learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.
2. Shri V.M.Chate learned Advocate appears for respondent nos.4 and 5 and prays for time for filing Vakalatnama. Time is granted.
3. S.O. to 02-02-2018.

**CHAIRMAN**

YUK ORAL ORDER 30-01-2018 AHJ F



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

**SUO MOTO C.P.No.05/2018 in O.A.No.759/2017  
(Mrs. Rohini Deokar V/s. Dr. (Smt.) L.R.Ghodke, Deputy Director of Health  
Services Nashik Region, Nashik & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Shri V.B.Wagh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.
2. Affidavit of apology and hand written apology is taken on record.
3. Notice of suo moto contempt is recalled. Proceedings are dropped.

YUK ORAL ORDER 30-01-2018 AHJ F

**CHAIRMAN**

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

**M.A.No.277/2017 IN C.P.St.No.994/2017 IN O.A.No.399/2016  
(Dr. Pradip Rathod V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Shri V.B.Wagh learned Advocate for the applicant, Shri I.S.Thorat learned Presenting Officer for respondent nos.1 to 3 and Shri S.R.Dheple learned Advocate for respondent nos.4 and 5. Shri D.G.Nagode learned Advocate for respondent no.6 is absent.
2. Learned P.O. prays for adjourning the hearing for reporting residual compliance.
3. S.O. to 16-03-2018.

**CHAIRMAN**

YUK ORAL ORDER 30-01-2018 AHJ F

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

**M.A.No.457/2017 WITH M.A.No.235/2017 IN C.P.St.No.865/2017  
IN O.A.No.497/2015**

**(Aisha Begum wd/o. md Bin Gulam Husain Alkesari V/s.  
State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Smt. Aisha Begum wd/o. md Bin Gulam Husain Alkesari applicant party in person is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.
2. Applicant party in person is absent.
3. In view of absence of the applicant, S.O. to 16-04-2018.

**CHAIRMAN**

YUK ORAL ORDER 30-01-2018 AHJ F

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD  
ORIGINAL APPLICATION NO.429/2017  
(Krushna Laxman Basar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 30.01.2018**

**ORAL ORDER :**

1. Heard Shri F.R.Tandale 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, S.O. to 01-02-2018.

YUK ORAL ORDER 30-01-2018 AHJ F

**CHAIRMAN**

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

**ORIGINAL APPLICATION NO.715/2017  
(Dr. Arun Ingle V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM: JUSTICE M.T.JOSHI, V.C.**

**DATE : 30.01.2018**

**ORAL ORDER :**

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

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

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

**VICE CHAIRMAN**

YUK ORAL ORDER 30-01-2018 AHJ F

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

**ORIGINAL APPLICATION NO.776/2017  
(Moni Vedkel Varghese V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM: JUSTICE M.T.JOSHI, V.C.**

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Shri M.R.Kulkarni learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents is present.

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

3. S.O. to 13-03-2018.

**VICE CHAIRMAN**

YUK ORAL ORDER 30-01-2018 AHJ F

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

**ORIGINAL APPLICATION NO. 26/2018  
(Bhushan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 14.2.2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the 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 14.2.2018.

**8. Since the present applicant was the sole candidate selected from the O.B.C. category as can be seen from Annex. A. 4 page 25, until further order the said post shall not be filled in from any other category.**

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

**VICE CHAIRMAN**



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

**ORIGINAL APPLICATION NOS. 41, 42, 43, 44, 45, 46, 54, 55 & 56  
ALL OF 2018**

(Sarita Gadekar & Ors. V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Shri Raghavendra N. Bharaswadkar, learned Advocate for the applicants in all these matters and S/shri M.S. Mahajan, S.K. Shirse, N.U. Yadav, V.R. Bhumkar, M.P. Gude, D.R. Patil, Smt. Deepali S. Deshpande and Smt. Sanjivani Deshmukh Ghate, learned Chief Presenting Officer & Presenting Officers for the respective respondents in respective matters.

2. Issue notices to the respondents in all these matters, returnable on 27.2.2018.

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

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

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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 27.2.2018.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 439/2010  
(Dilip V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, 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 comply the earlier order dtd. 1.11.2017. At his request S.O. to 6.3.2018 for compliance of the earlier order dtd. 1.11.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**O.A. 567/2016 WITH M.A. 39/2017  
(Vijay V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 & 2, Shri V.B. Wagh, learned Advocate for respondent no. 3 and Shri V.G. Pingle, learned Advocate for respondent nos. 4, 5 & 8. None appears for respondent nos. 6 & 7.

2. It is an admitted fact that the issue of reservation in promotion is referred by the Hon'ble Supreme Court to the Constitution Bench and the record would show that since long the decision is awaited. In the circumstances, the issue of promotion is kept in abeyance by the res. no. 1 - the State of Maharashtra.

3. Taking into consideration the period that may require for decision from the Constitution Bench of Hon'ble Supreme Court, the learned P.O. is hereby directed to take instructions from the res. no. 1 - the State of Maharashtra - as to whether suitable instructions can be issued to various Departments that the process of

promotion can be undertaken, subject to decision from Hon'ble Supreme Court and also personal undertaking from the concerned employee that, he would accept the cancellation of the order of promotion in case of any adverse order to his interest is passed by the Hon'ble Supreme Court.

4. S.O. to 13.3.2018 for taking instructions on the above line by the learned P.O.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 430/2017  
(Chous Galeb V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to  
7.3.2018 for filing affidavit in reply of the  
respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 489/2017  
(Mahadu V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned C.P.O. S.O. to 6.3.2018 for taking instructions from the concerned respondents on the line of order dtd. 20.12.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 492/2017  
(Badri V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri Shivkumar Mathpati, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned C.P.O. S.O. to 6.3.2018 for taking instructions from the concerned respondents on the line of order dtd. 20.12.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018



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

**ORIGINAL APPLICATION NO. 632/2017  
(Jayshri V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. The learned P.O. files on record affidavit in reply of res. nos. 1 & 2. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. Arguable case is made out. Hence, Admit. The matter is removed from the board for time being and it be placed before the Division Bench as and when it is available.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 703/2017  
(Vasant V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to 28.2.2018 for filing affidavit in reply of the respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to  
20.2.2018 for filing affidavit in reply of the  
respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 782/2017  
(Nitin & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Shri Amol B. Chalak Patil, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. The learned P.O. submits that, though Steno copy of the order of the Tribunal dtd. 21.12.2017 has been sent, there is no response from the concerned respondents till this date.

3. In the circumstances, as a last chance time till 5.3.2018 to comply the said order dated 21.12.2017 is hereby granted on the condition that the concerned Officer, who has not responded to the communication of the learned P.O., shall deposit an amount of Rs. 5,000/- on the next date and also shall comply the said order. Upon failure to comply the said order, the Tribunal would be constrained to call the concerned respondent before the Tribunal and / or impose heavy costs.

4. As a last chance S.O. to 5.3.2018 for compliance of the order dated 21.12.2017 by the concerned respondent.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD  
ORIGINAL APPLICATION NO. 810/2017  
(Shaligram V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde – Upadhyay, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, 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. The learned P.O. seeks time to file affidavit in reply of res. no. 2 or to make a statement whether his affidavit in reply is presently necessary or not. In the circumstances, at the request of learned P.O. S.O. to 13.3.2018, for filing affidavit in reply of res. no. 2, if any.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 852/2017  
(Nilesh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 & 2 and Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for respondent no. 5. None appears for other respondents.

2. The learned Advocate for the applicant seeks time to file service affidavit of res. no. 6. The learned P.O. as well as learned Advocate for res. no. 5 seek time to file affidavit in reply. At their request, S.O. to 27.2.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 853/2017  
(Ashish V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for respondent nos. 1 & 2 and Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for respondent no. 5. None appears for other respondents.

2. The learned Advocate for the applicant seeks time to file service affidavit of res. no. 6. The learned P.O. as well as learned Advocate for res. no. 5 seek time to file affidavit in reply. At their request, S.O. to 27.2.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018



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

**ORIGINAL APPLICATION NO. 899/2017  
(Dr. Vandana V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

None appears for the applicant. Shri N.U. Yadav, learned Presenting Officer for respondents, is present.

2. It reveals from the record that no steps for serving notices upon the respondents are taken by the applicant. In the circumstances, as a last chance S.O. to 28.2.2018 either for taking steps by the applicant in respect of serving the notices upon the respondents or for passing necessary order.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 919/2017  
(Devanand V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to 26.2.2018 for filing affidavit in reply and for taking instructions from the concerned respondent on the line of order dtd. 13.12.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Shri Gajanan Kadam, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 to 4 and Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 5.

2. It is to be noted that, no affidavit in reply is filed by the res. no. 4 though time was sought therefor. In the circumstances, the present misc. application cannot be dismissed in default. The learned P.O. seeks time to find out whether reply of res. no. 4 is necessary and if it is necessary, he will file the same on the next date. In the circumstances, S.O. to 28.2.2018 for filing affidavit in reply of res. no. 4, if any.

**VICE CHAIRMAN**

**FARAD CONTINUATION SHEET**

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

**M.A. 197/2017 IN O.A. ST. 526/2017  
(Chetan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Shri S.P. Dhoble, learned Advocate holding for Shri N.L. Choudhary, 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 15.2.2017 for filing misc. application for amendment.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**M.A. 450/2017 IN O.A. ST. 1587/2017  
(Madhuri V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. The learned P.O. files on record affidavit in reply of res. nos. 1 to 4. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. In the circumstances, it is not necessary to await service on respective respondents. In the circumstances, place the present M.A. on 27.2.2018 for hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**M.A. 22/2018 IN O.A. 486/2017  
(Vijeta V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. The learned P.O. files on record a communication received to him along with documents, which is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned Advocate for the applicant. The learned Advocate for the applicant seeks time to go through the said document and make his submissions. In the circumstances S.O. to 6.3.2018 for making submissions, by the learned Advocate for the applicant.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 944/2017  
(Anjali V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to 21.2.2018 for filing affidavit in reply of the respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 945/2017  
(Sangita V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to 21.2.2018 for filing affidavit in reply of the respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018



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

**M.A. 13/2018 IN O.A. 956/2017  
(Kalyani & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Shri S.D. Munde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned Advocate for the applicants intends to not to press the present M.A. no. 13/2018. In the circumstances, the present M.A. is disposed of as not pressed without any order as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 30-01-2018

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

**ORIGINAL APPLICATION NO. 956/2017  
(Kalyani & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 30.01.2018**

**ORAL ORDER :**

Heard Shri S.D. Munde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned Advocate for the applicants submits that now the interviews are being conducted by the res. no. 3 – the M.P.S.C. At Annex. A.12 page 85 of the present O.A., this Tribunal has granted interim relief in O.A. no. 929/2017 dtd. 15.12.2017, whereunder the res. no. 3 – the M.P.S.C. – is directed to conduct the oral examination / interview of the applicant therein. Similar facts exist in the present matter.

3. **Upon hearing both the sides, similar further interim relief in terms of prayer clause (C) of the present O.A., which reads as under, is hereby granted :-**

**“(C) Pending hearing and final disposal of this Original Application, the respondent No. 3 M.P.S.C. may kindly be directed to conduct the oral examination / interview of the present applicants on the basis of qualification.”**

4. In the circumstances, the res. no. 3 – the M.P.S.C. – is hereby directed to conduct the oral examination / interview of the present applicants on the date suitable to the res. no. 3 by sending a communication to the applicants by usual mode as prescribed by the res. no. 3.

5. S.O. to 21.2.2018 along with O.A. nos. 820, 821, 822 & 929/2017.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 598 OF 2015**

[Smt. Noorunnisa Begum Vs. State of Maharashtra & Ors.]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 30.01.2018.**

**ORAL ORDER :**

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

2. S.O. to 26<sup>th</sup> February, 2018 for hearing.

**VICE CHAIRMAN**

ORAL ORDERS 30.01.2018-HDD

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

**ORIGINAL APPLICATION NO. 542 OF 2017**

[Dr. Sunil P. Bhamre Vs. State of Maharashtra & Ors.]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 30.01.2018.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3 and Shri Shamsundar B. Patil, learned Advocate for respondent No. 4.

2. Written notes of arguments have been filed on behalf of the applicant and respondent No. 4 and the same are taken on record.

3. In the circumstances, S.O. to 1<sup>st</sup> February, 2018 for passing orders.

**VICE CHAIRMAN**

ORAL ORDERS 30.01.2018-HDD

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

**ORIGINAL APPLICATION NO. 49 OF 2015**

[Shri Ravindra V. Sapkale Vs. State of Maharashtra & Ors.]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 30.01.2018.**

**ORAL ORDER :**

Heard Shri Harshal P. Randhir, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 13<sup>th</sup> March, 2018.

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

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

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

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

7. S.O. to 13<sup>th</sup> March, 2018.
8. Steno copy and hamdust is allowed to both the parties.

**VICE CHAIRMAN**

ORAL ORDERS 30.01.2018-HDD

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

**ORIGINAL APPLICATION NO. 764 OF 2017**

[Shri Vijaykumar B. Raut Vs. State of Maharashtra & Ors.]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 30.01.2018.**

**ORAL ORDER :**

Heard Mrs. Suchita A. Dhongde, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same is taken on record and the copy thereof has been taken on record.

3. Learned Advocate for the applicant has filed a true copy of Statement of Account of State Bank of India, which would show that the recovery is being made despite of the grant of stay to the same by this Tribunal by an order dated 31.10.2017. The copy of the said Statement of Account is taken on record and marked as Annexure 'X' for identification purpose.

4. The Annexure 'X' Colly. would show that in fact, the office of Accountant General, Nagpur has already instructed respondent No. 3 vide letter dated 30.11.2017 regarding grant of stay to the recovery.

5. In the circumstances, pending the consideration as to whether suo moto action for contempt be initiated against the respondent No. 2. Learned Presenting Officer submits that she would



**O.A. NO. 764 OF 2017**

take instruction from respondent No. 2 and would make a statement on the next date. At her request, S.O. to 26<sup>th</sup> February, 2018 for taking instructions.

6. Learned Presenting Officer to act upon steno copy.

**VICE CHAIRMAN**

ORAL ORDERS 30.01.2018-HDD

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

**M.A.NO. 25/2018 IN O.A.NO. 918/2017**

[Shri Shaikh Sadik Vs. State of Maharashtra & Ors.]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 30.01.2018.**

**ORAL ORDER :**

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

2. Learned Presenting Officer for the respondents submits that he would take instructions as to what is hitch in imparting the amount of gratuity.

3. Learned Advocate for the applicant makes a statement that the marriage of the daughter of the applicant is going to be celebrated on 10<sup>th</sup> February, 2018 and the amount of gratuity is already received in the office of respondent No. 2.

4. Considering all these facts on record, S.O. to 02.02.2018 for taking instructions by the learned Presenting Officer.

5. Steno copy is allowed to the learned Presenting Officer for the respondents.

**VICE CHAIRMAN**

ORAL ORDERS 30.01.2018-HDD

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

**ORIGINAL APPLICATION NO. 593 OF 2017**

[Shri Giridhar P. Thakur Vs. State of Maharashtra & Ors.]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 30.01.2018.**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that he will file affidavit in reply on behalf of respondent No. 2 during the course of the day.

3. In the circumstances, S.O. to 01.02.2018 for hearing before this Tribunal.

**VICE CHAIRMAN**

ORAL ORDERS 30.01.2018-HDD

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

**ORIGINAL APPLICATION NO. 789 OF 2016**

[Shri Rahul R. Jadhav Vs. State of Maharashtra & Ors.]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 30.01.2018.**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Mr. Laxmikant Satalkar, the then Sub Divisional Officer, Vaijapur-cum-Chairman, Police Patil Recruitment-2015 i.e. respondent No. 1 present before this Tribunal today and submits that he will have to go through the record and file an additional affidavit explaining the facts as are highlighted in the order dated 07.09.2017 by this Tribunal. At his request, S.O. to 26.02.2018 for filing additional affidavit in reply.

3. The presence of the officer is no more required.

**VICE CHAIRMAN**

ORAL ORDERS 30.01.2018-HDD

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

**ORIGINAL APPLICATION NO. 656 OF 2017**

[Shri Rupesh A. Bhusawale Vs. State of Maharashtra & Ors.]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 30.01.2018.**

**ORAL ORDER :**

Shri D.M. Shinde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Heard both the sides with consent, on 24<sup>th</sup> January, 2018. Perused the written notes of arguments filed on behalf of the applicant on 29<sup>th</sup> January, 2018.

3. Aggrieved by the non-appointment of the present applicant in the post of Driver by the respondent No. 3 though the present applicant is at Sr. No. 1 in the relevant waiting list, the present Original Application is filed.

4. Submissions from both the sides would show that single post of driver from NT-C category in Public Works Department (Electrical) was available in the year 2014. Online applications were called between 14.08.2014 and 28.08.2014 for total three posts of Driver. In NT-C Category one Mr. Bhojane Shankar Aasaram was in the select list at Sr. No. 1, while the present applicant was solely placed in the waiting list. The appointment order was sent to Mr. Bhojane Shankar Aasaram on 4<sup>th</sup> May, 2016. He however, did

not join the post of Driver. Thereafter, the present applicant made representations to the respondent No. 2 for appointing him. As there was no response, ultimately the present Original Application was filed on 12<sup>th</sup> September, 2017.

5. Affidavit in reply filed on behalf of the respondent Nos. 1 to 4 would show that in the meantime Public Works Department (Electrical) was bifurcated in two wings (Division) i.e. Execution Wing and Inspection Wing. Due to bifurcation, there is no provision for vehicle for the division. Execution Wing has been now transferred to the Energy Department. As on the available vehicles already drivers are posted long back, there is no need of any driver and even there is prohibition for purchase of fresh vehicle. In the circumstances, as there are no vehicles the posting cannot be made.

6. Learned Advocate for the applicant Shri D.M. Shinde relied on the ratio of **NITIN NARESH DAKI VS. ZILLA PARISHAD, RAIGAD AND OTHERS** reported in **2016 DGLS (Bom.) 1099** and **STATE OF JAMMU AND KASHMIR & OTHERS VS. SAT PAL** reported in **2013 DGLS (SC) 96**.

7. Upon hearing both the sides in my view the present Original Application deserves to be dismissed. No candidate can claim a vested right in appointment except where any discrimination etc. is shown. In the case of **NITIN NARESH DAKI** cited supra for unknown reasons, the eligible candidate as per the list was not appointed to the post of Peon

within the prescribed period i.e. during the validity period of the list.

8. In the case of **STATE OF JAMMU AND KASHMIR & OTHERS** cited supra, where listed candidate at Sr. No. 1 though appointed did not join and appointment to the next of the candidate i.e. the respondent therein was refused mainly because, the respondent approached the High Court for a relief.

9. The facts in the present case however, are totally different. Here in case the applicant is appointed, for want of vehicle no duties can be allotted to him and, therefore, since no vested right arises out of selection in the waiting list, this application deserves to be dismissed and the same is, therefore, dismissed without any order as to costs.

**VICE CHAIRMAN**

ORAL ORDERS 30.01.2018-HDD