

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

**Original Application St. No.461/2018
(Shri Sanjot Vinayak Rathod & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 03.04.2018

ORAL ORDER :

1. Heard Shri H.A.Joshi learned Advocate for the applicants and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.
2. This case was heard in the morning session. Learned Advocate for the applicant prayed for permission to amend the O.A. and sought deferment of hearing till afternoon session.
3. Hearing was accordingly adjourned. Case is called out for hearing in the afternoon session.
4. At the outset, learned Advocate for the applicant states that since the name of applicant no.2 Ishwar s/o. Premraj Dhavlanpure is deleted from the array of applicants, now O.A. proceeds for sole applicant.
5. Learned Advocate for the applicant prays for leave to amend to add one ground and delete prayer clause 7-C. Leave to amend as prayed is granted.

6. Amendment is carried out forthwith.
7. Issue notice to the respondents, returnable on 04-05-2018.
8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
9. 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.
10. 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.
11. 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.

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

13. Learned Advocate for the applicant has urged for hearing on interim relief on the grounds that:-

(a) Last date fixed for acceptance of applications furtherance to advertisement no.21/2018, Annexure A-3 (paper book page 20) is 4th April, 2018 and in absence of interim order/direction Maharashtra Public Service Commission (MPSC) will not accept the applicant's application.

(b) Applicant's online application is already rejected as is shown at page 28 of O.A., which is a screen shot of the display on the website of the MPSC.

(c) Now, application has to be furnished by hand delivery and it would be possible if mandatory order is issued.

14. Considering the urgency in the matter case is heard on the point of interim relief.

15. Learned Advocate for the applicant has represented as follows:

- (a) Applicant has passed graduation i.e. Bachelor of Pharmacy with various science and Chemistry subjects.
- (b) As per recruitment rules, a candidate has to have graduation with at least one subject, namely:- Botany, Chemistry, Forestry, Geology, Mathematics, Physics, Statistics, Zoology, Horticulture & Agriculture Engineering.
- (c) Rules also prescribe that even a holder of Bachelor's degree in Mathematics other than Science faculty is eligible to apply, provided that, he has learned Science at Higher Secondary Examination level.
- (d) In relation to examinations held by Union Public Service Commission (UPSC) for selection to the higher posts in the Forest Department, qualification of B. Pharmacy is considered to be eligible to apply as is seen from paragraph 2 of paper book page 33, relevant text reads as follows:

“2. However, it is informed that the candidates having the B. Pharma degree are also eligible to appear in the Indian Forest Service Examination.”
(Quoted from p.b.p.33 of the O.A.)

- (e) If interim relief is not granted applicant's application form would not be accepted by the MPSC, and applicant would be denied/lose opportunity of candidature in public employment.

16. Considering the fact that for the examinations to be conducted by the UPSC for the Forest Department i.e. for Indian Forest Services if Bachelor of Pharmacy can be accepted as a qualification as equivalent to Science graduation, prima facie, we are of the view that same eligibility criteria can be applied by interpreting or construing that stream of education in the Science of Pharmacy be treated equal to degree in Science or passing graduation with Chemistry as one of the Science subjects.

17. On the basis of discussion in foregoing paragraphs, and as the case prima facie emerges, if applicant is permitted to appear in the examination, it will offer to him an opportunity to contest but if denied it shall amount to his perpetual denial to appear in the examination, even if eventually he succeeds in present O.A.

18. Ends of justice would meet by giving direction to the MPSC to physically accept the applicant's

application form for the examination for the post of Range Forest Officer Group-B as per advertisement no.21/2018, Annexure A-3 (paper book page 20) and allow him to appear for written test.

19. In the background that this order is passed ex-parte, applicant's result should not be declared.

20. In case of any urgency, applicant and respondents are at liberty to move Tribunal seeking any other direction/s.

21. We further observe that the State Government shall be free to examine the matter of permitting other candidates holding Bachelor of Pharmacy as qualification equivalent to B.Sc. State Government may also revisit the Recruitment Rules for issue of a clarification.

22. Reply be filed on or before 04-05-2018.

23. S.O. 04-05-2018.

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

MEMBER (A)

CHAIRMAN

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

**M.A.No.117/2018 IN O.A.St.No.461/2018
(Shri Sanjot Vinayak Rathod & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 03.04.2018

ORAL ORDER :

1. Heard Shri H.A. Joshi learned Advocate for the applicants and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.
2. Learned Advocate for the applicant has prayed for deleting the name of applicant no.2 Ishwar s/o. Premraj Dhavlanpure. Leave for deletion is granted. Hence, M.A. for sue jointly does not survive.
3. M.A. stands disposed of accordingly with no order as to costs.
4. O.A. be registered and numbered as per procedure.

MEMBER (A)

CHAIRMAN

YUK ORAL ORDER 03-04-2018 DB

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

**ORIGINAL APPLICATION NO. 766/2017
(Smt. Vanita U. Shejul V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate holding for Shri Amit Dhongde, 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 the respondents. Time granted as a last chance.

3. S.O. to 26.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**M.A. 437/2017 in M.A. St. 1563/2015 in O.A. 201/2016
(Shri Govind D. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Shri Jahed Ali, learned Advocate holding for
Shri R.B. Ade, learned Advocate for the applicant
and Smt. Deepali S. Deshpande, learned
Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 11.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

**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 : 03.04.2018.

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 04.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 187/2018
(Shri Mukesh K. Gunjal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks leave of this Tribunal to correct the title clause of the O.A. by mentioning the age of respondent Nos. 2 to 4.

3. Leave as prayed for by the applicant is granted. The applicant shall amend the O.A. forthwith.

4. The matter be fixed for hearing in due course of time.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION ST. NO. 415/2018
(Shri Arjun N. Rankhamb V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Heard Smt. Shilpa Jahagirdar, learned Advocate holding for Shri N.K. Tungar, 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 05.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 22/2017
(Shri Pradeep V. Kale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Shri J.B. Chodhary, learned Advocate for the applicant (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 26.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 617/2017
(Dr. Nitin M. Bharambe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file reply to the show cause notice. Time granted.

3. S.O. to 11.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NOS. 901, 902 & 903 ALL OF 2017
(Shri Ashok R. Jadhav & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicants in all these O.As., Shri M.S. Mahajan, Smt. Priya R. Bharaswadkar, learned Chief Presenting Officer and Presenting Officer for respondent Nos. 1 to 3 & 6 in all these O.As. and Shri S.P. Dhoble, learned Advocate for respondent Nos. 4 and 5 in all these O.As.

2. Respondent Nos. 4 & 5 have not filed short affidavit on the line of the order dated 6.12.2017 passed by this Tribunal, in spite of several opportunities given to them. They are flouting the orders of this Tribunal.

3. Learned Advocate for respondent Nos. 4 and 5 seeks time to file short affidavit. Time granted.

4. Respondent Nos. 1 to 3 have failed to file affidavit in reply, in spite of ample opportunities

//2// O.A. No. 901/2017 & Anr.

given to them. Hence, the matter be proceeded further, without affidavit in reply of respondent Nos. 1 to 3.

5. S.O. to 11.04.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 710/2017
(Shri Sharad R. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. It transpires from the proceedings that no affidavit in reply has been filed by the respondents.

3. Hence, the matter be proceeded further without affidavit in reply of the respondents.

4. S.O. to 18.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 734/2017
(Dr. Atul Ladvanhari & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicants, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 & 2 and Shri G.D. Jain, learned Advocate holding for Shri M.S. Sonawane, learned Advocate for respondent Nos. 3 & 4.

2. Learned Advocate for respondent Nos. 3 and 4 has submitted that the respondents do not want to file affidavit in reply, as they are formal parties in the present O.A.

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

4. On perusal of the record, it reveals that ample opportunities were given to the respondents to file affidavit in reply, but they failed to file affidavit in reply.

//2//

O.A. No. 734/2017

5. Hence, the request to grant further time is rejected. The matter be proceeded further without affidavit in reply of respondent Nos. 1 and 2.

6. S.O. to 18.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 793/2017
(Shri Abdul Rahman R. Ansari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Shri A.D. Gadekar, learned Advocate for the applicant and Shri I.S. Thorat, 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 26.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 812/2017
(Shri Shrishail P. Sadegaokar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Shri G.M. Sharma, learned Advocate holding for Shri N.P. Dube, 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.

3. S.O. to 18.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 861/2017
(Shri Ramkishan G. Jakulwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Heard Shri S.G. Magre, learned Advocate holding for Shri M.D. Godamgaonkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to take instructions from the applicant as to whether he is going to withdraw the present Original Application. Time granted.

3. S.O. to 11.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 131/2018
(Shri Digambar S. Chothe & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 26.04.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 132/2018
(Shri Sudhakar R. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

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

3. S.O. to 26.04.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 265/2016
(Shri Shivaji H. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant and learned Presenting Officer for the respondents both have submitted that earlier similarly situated employees have filed O.A. Nos. 202/2015 and 596/2015 before this Tribunal, which have been transferred to the Principal Seat of this Tribunal at Mumbai. Those O.As. had been dismissed.

3. Learned Presenting Officer has submitted that since the issue involved in the present O.A. has already been decided by this Tribunal, it is necessary to produce on record the copy of that order. She seeks time to produce on record the copy of the order passed by this Tribunal in the above said O.As. Time granted.

3. S.O. to 18.04.2018.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 630/2016
(Smt. Mangal M. Barase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

2. Today, the learned Advocate for the applicant has produced a copy of communication dated 31.03.2018 received to him from the applicant stating that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. The copy of the same is taken on record and marked as document 'X' for the purposes of identification. He seeks leave of this Tribunal to withdraw the O.A. in view of the written communication received from the applicant.

3. 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. Accordingly, 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. 41/2017
(Shri Baburao N. Ardad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to take instructions from the respondents regarding the decision taken by the respondents in respect of show cause notice issued to the applicant for withdrawal of pension in view of the conviction order passed by the Hon'ble High Court in the criminal case. Time granted.

3. S.O. to 18.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 373/2017
(Shri Kashinath G. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri K.B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 04.04.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NO. 322/2017
(Shri Rajesh P. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 02.05.2018.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**ORIGINAL APPLICATION NOS. 476, 477, 478 & 485 ALL OF 2017
(Shri Balasaheb M Ghadge & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Shri S.A. Wakure, learned Advocate for the applicants in all these O.As. (**Absent**). S/shri M.S. Mahajan, D.R. Patil, I.S. Thorat & Smt. Deepali S. Deshpande, learned Chief Presenting Officer and Presenting Officers for respective respondents in respective O.As., present.

2. Today, the learned Presenting Officer has placed on record a copy of communication dated 02.02.2018 and seeks time to file affidavit in reply on behalf of respondents on the ground that para-wise remarks were sent to the higher authority for approval. Copy of the same is taken on record and marked as document 'X' for the purposes of identification.

3. It transpires from the proceedings that the ample opportunities have been given to the respondents for filing affidavit in reply, but they

failed to file affidavit in reply in time. A most last chance was granted on 16.01.2018 for filing affidavit in reply and thereafter, again on 27.02.2018 time was granted. In spite of that the respondents failed to file affidavit in reply. There is no just ground to grant further time to the respondents for filing affidavit in reply. However, in the interest of justice, time is granted for filing affidavit in reply of the respondents, subject to payment of Costs of Rs. 5000/- in each O.A. The amount of costs be deposited in the Registry of this Tribunal.

4. S.O. to 18.04.2018.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 701/2017
(Dr. Pradeep D. Mansapure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant, as well as, learned Presenting Officer have submitted that the respondents have paid the amount of Rs. 7,93,766/- withheld by them on account of recovery of excess payment made to the applicant for the period from 1.1.2006 to 30.06.2016 and also released pensionary benefits to the applicant. They have submitted that since the reliefs claimed by the applicant have been satisfied, it is necessary to dispose of the present O.A.

3. Since, the reliefs claimed by the applicant have been satisfied and nothing remains in the present O.A., the same stands disposed of with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 03-04-2018

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

**M.A. No. 92/2018 in Rev. St. No. 337/2018 in O.A. No. 584/2016
(The State of Maharashtra & Ors. Vs. Shri Balaji G. Aherkar)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

Heard Shri V.R. Bhumkar, learned Presenting Officer for the applicants/original respondents.

Shri P.P. Uttarwar, learned Advocate for the respondent/original applicant (**Absent**).

2. Learned Presenting Officer for the applicants/original respondents has submitted that because of the false affidavit in reply filed by Shri Rajesh Nagorao Pathak, Naib Tahsildar on behalf of the present applicants, the O.A. No. 584/2016 came to be disposed of on 05.05.2017. He has submitted that the said fact has come to the notice of the applicants/original respondents on 02.02.2018, when the meeting of the selection committee under the Chairmanship of S.D.O. Kandhar has been held. He has submitted that thereafter, application for Review has been filed. He has submitted that there is a delay of 9

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M.A. 92/2018 in Review St.
337/2018 in O.A. 584/2016

months and 2 days in filing the Review Application. The delay has been caused because of the said fact and therefore, he prayed to condone the delay by allowing the present Misc. Application.

3. On going through application for condonation of delay, it reveals that not a single ground justifying the delay has been mentioned in the application. It seems that there is a deliberate and intentional delay on the part of the applicants/original respondents in filing the Review Petition. The delay caused for filing the Review Petition is inordinate. Therefore, the application for delay condonation cannot be entertained and allowed.

4. Hence, the Misc. Application for condonation of delay is rejected. Consequently, the Review Application St. No. 337/2018 stands rejected.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 621/2017
(Smt. Shivananda Wd/o Baburao Darade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 03.04.2018.

ORAL ORDER :

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

2. The applicant has filed the present Original Application seeking declaration that she is entitled to get benefit of G.R. dated 04.02.2016 and insurance amount of State Government Employees Group Individual Accidental Insurance Scheme on account of accidental death of her husband, who was working as a Gangman with the respondents.

3. Learned Advocate for the applicant has submitted that the applicant's husband viz. Baburao Darade was serving as a Gangman with the respondents. He met with an accident on 21.07.2016 and consequently succumbed to the injuries on the very day in the hospital. He has

submitted that after death of her husband, the applicant moved an application with the respondents to extend the benefits of State Government Employees Group Individual Accidental Insurance Scheme to her. The said application was moved by the applicant with the respondent Nos. 2 and 3 in the year 2016 immediately after death of her husband, but they have not decided the same and therefore, the learned Advocate for the applicant prayed to issue direction to the respondent Nos. 2 and 3 to decide the application of the applicant at the earliest and to dispose of the present O.A. accordingly.

4. Learned Presenting Officer has submitted that he has no objection to direct the respondent Nos. 2 and 3 to take decision on the application of the applicant by giving reasonable time to them.

5. The applicant has filed the O.A. claiming limited relief to issue direction to the respondents to extend the benefits of G.R. dated 04.02.2018

in respect of State Government Employees Group Individual Accidental Insurance Scheme to her on account of death of her husband, who was serving as Gangman with the Respondents by deciding her application. Her application is pending with the respondent Nos. 2 and 3 since the year 2016 and therefore, it is just and proper to direct the respondents to take decision on her application as per Rules in view of the G.R. dated 04.02.2016

6. Accordingly, the O.A. stands disposed of with a direction to the respondent Nos. 2 and 3 to take decision on the application filed by the applicant for extending the benefits as per the G.R. dated 04.02.2016 within a period of two weeks from the date of this order and communicate the decision thereon to the applicant in writing. There shall be no order as to costs.

MEMBER (J)

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

**O.A. NO. 173/2018 WITH M.A. ST. NO. 474/2018
(Samta R. Lokhande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Shri Yogesh P. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant states after arguing for some that, permission to file fresh O.A. with liberty to withdraw the present O.A. be granted.

3. In the circumstances, the present O.A. is disposed of as withdrawn with liberty to the applicant to file fresh O.A. for the same or similar reliefs.

4. Accordingly, M.A. St. 474/2018 filed by the applicant for adding party respondent in the O.A. is also disposed of. There shall be no order as to costs.

MEMBER (A)

CHAIRMAN

FARAD CONTINUATION SHEET

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

**M.A. 108/2018 IN M.A. ST. 140/2018 IN O.A. ST. 141/2018
(Pralhad V. Kawle & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant prays for permission to withdraw the O.A. St. 141/2018 itself, with liberty to file fresh O.A.

3. In view of above, the O.A. st. 141/2018 is disposed of as withdrawn with liberty to the applicants to file fresh O.A.

4. In view of disposal of O.A. nothing survives in the M.A. no. 108/2018 & M.A. st. 140/2018 and therefore both the M.As. are also disposed of. There shall be no order as to costs.

MEMBER (A)

CHAIRMAN

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

**C.P. ST. 473/2018 IN O.A. 399/2017
(Dr. Pritam T. Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. Learned P.O. has tendered copy of letter dtd. 17.3.2018 sent by the Government to the Commissioner, Health Services, Mumbai informing that applicant's request has been considered and rejected. The copy of the said letter is taken on record and marked as document 'X' for the purpose identification.

3. It is seen that the Contemnors have not been served with notice of present Contempt Petition.

4. Hence, with liberty to the applicant to take recourse to remedies as available in law, present Contempt Petition is disposed of. There shall be no order as to costs.

MEMBER (A)

CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 118, 119 AND 120 ALL OF 2017
(Manasi K. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants in all these matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents in all these matters.

2. All the three O.As. are hereby admitted.
3. O.As. to come up for hearing in due course of time.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

FARAD CONTINUATION SHEET

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

**M.A. 46/2018 IN O.A. ST. 207/2018
(Santoshkumar A. Kaul V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. Perused the M.A.
3. The applicant was dismissed by order dtd. 31.8.2002.
4. By filing the O.A. st. no. 207/2018 on 12.2.2018, the applicant has challenged the order of dismissal dated 31.8.2002.
5. O.A. is barred by limitation as it is filed after 15 years after the date of cause of action.
6. Applicant has failed to give any details as to what precluded him from filing the O.A. soon after the order of dismissal was passed.
7. In the midst of hearing, learned Advocate for the applicant prays for liberty to withdraw the present M.A. & O.A. and file fresh if some explanation and ground could be available.

8. In the circumstances, O.A. & M.A. are disposed of as withdrawn with liberty as prayed for. There shall be no order as to costs.

MEMBER (A)

CHAIRMAN

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

O.A. NO. 688/2017
(Dr. Baliram R. Pandwe & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for respondents.

2. S.O. to 4.4.2018. This matter be treated as a part heard.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 731/2017
(Suresh M. Tulapurkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for leave to amend to correct para no. 23 of the O.A.

3. Leave as prayed for is granted. Amendment be carried out before the next date.

4. S.O. to 5.4.2018.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 781/2017
(Bhagwan N. Bodke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant seeks leave of the Tribunal to withdraw the present O.A. with liberty to file fresh O.A.

3. In the circumstances, the present O.A. is disposed of as withdrawn with liberty to the applicant to file fresh O.A. There shall be no order as to costs.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 787/2017
(Sadashiv B. Nagarsale & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Shri M.P. Tripathi, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The learned Advocate for the applicants seeks leave of the Tribunal to withdraw the present O.A. with liberty to file fresh O.A.

3. In the circumstances, the present O.A. is disposed of as withdrawn with liberty to the applicants to file fresh O.A. There shall be no order as to costs.

MEMBER (A)

CHAIRMAN

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 855/2017
(Ganesh R. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Shri H.A. Joshi, 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 18.4.2018.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

FARAD CONTINUATION SHEET

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

**C.P. 11/2018 IN O.A. 913/2012
(Bapusaheb D. Mane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Shri L.M. Kulkarni, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. The learned P.O. has filed two separate affidavit in replies on behalf of res. nos. 2 and 3. The same are taken on record and copies thereof are served upon the learned Advocate for the applicant.

3. S.O. to 6.4.2018.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

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

**O.A. NOS. 659, 695, 674, 779, 683, 700, 670, 671, 672, 675, 679,
680, 681 & 682 ALL OF 2017**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for S/shri S.S. Thombre, learned Advocate for the applicants in O.A. nos. 659, 695, 674 & 779/2017, Mahesh Bhosale, learned Advocate holding for M.L. Muthal, learned Advocate for the applicants in O.A. 683 & 700/2017 and Vaibhav Deshmukh, learned Advocate holding for A.R. Tapse, learned Advocate for the applicants in O.A. nos. 670, 671, 672, 675, 679, 680, 681 & 682/2017 and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these matters.

2. Learned Advocate Shri Vaibhav Deshmukh, states that Shri A.R. Tapse, learned Advocate on record for the applicants in O.A. nos. 670, 671, 672, 675, 679, 680, 681 & 682/2017, is out of station and he prays to adjourn these cases to any date.

3. Learned Advocate Shri R.D. Khadap, holding for Shri S.S. Thombre, learned Advocate for the applicants in O.A. nos. 659, 695, 674 & 779/2017 states that, he is aware of the fact that hearing of present O.As. is expedited by the Hon'ble High Court, however, he wants time because Shri S.S. Thombre, learned Advocate for the applicants is busy in an

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O.A. Nos. 659 and
the Group of 2017

important case before the Hon'ble High Court. He prays that hearing be fixed on 6.4.2018.

4. In view of request of learned Advocates for the applicants, the present group of O.As. be listed for final disposal at admission stage on 6.4.2018.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

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. has filed affidavit in reply
of res. no. 3. It be taken on record and copy
thereof be served upon the learned Advocate for
the applicant.

3. S.O. to 5.4.2018.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

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

**M.A. 69/2018 IN O.A. 678/2017
(Makarand S. Bhalerao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. The applicant has filed the present M.A. for restoration of O.A. to its original file, which was dismissed in default by the Tribunal vide its order dtd. 27.2.2018.

3. Accepting the facts and reasons averred in the M.A. and as argued to be good and sufficient, the order dtd. 27.2.2018 passed by the Tribunal in the O.A. is recalled and the O.A. is restored to its original file.

4. The M.A. is accordingly disposed of with no order as to costs.

MEMBER (A)

CHAIRMAN

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

O.A. 678/2017

(Makarand S. Bhalerao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

ATUL RAJ CHADHA, MEMBER (A)

DATE : 3.4.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 20.06.2018.

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

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

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

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

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

8. S.O. to 20.06.2018.

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

MEMBER (A)

CHAIRMAN

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

**ORIGINAL APPLICATION NO. 63/2018
(Dr. Bhawna S. Bhagat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. The learned P.O. has filed affidavit in reply of res. no. 1. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. S.O. to 27.4.2018.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

**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 A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. In view of compliance of the order dtd. 24.11.2015 passed by the Tribunal in O.A. 156/2015, the present Contempt Petition need not be proceeded further.

3. In view of above, the M.A. no. 466/2017 filed by the applicant for permission to file C.P. St. 1579/2017 and the C.P. itself are disposed of with no order as to costs.

4. The applicant shall be free to challenge any adverse decision that may be taken by the respondents.

MEMBER (A)

CHAIRMAN

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

**M.A. NO. 15/2018 IN O.A. ST. NO. 1816/2017
(Ravindra S. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for permission / leave to amend by substitution of M.A. Leave to substitute the M.A. is granted

3. S.O. to 20.6.2018.

4. If the amendment is not carried out within two weeks from today, the M.A. & O.A. shall stand dismissed automatically without reference to the Tribunal.

MEMBER (A)

CHAIRMAN

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

**O.A. ST. NO. 1816/2017
(Ravindra S. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for leave to correct certain typing errors. Leave to correct as prayed for is granted.

MEMBER (A)

CHAIRMAN

ARJ ORAL ORDERS 3-4-2018

FARAD CONTINUATION SHEET

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

**M.A. 119/2018 IN O.A. 312/2015 WITH CAVEAT 5/2018
(Pallavi A. Meshram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 3.4.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant in the present M.A., Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 to 3, Smt. Vidhya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for respondent no. 4 and Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 6. None appears for respondent no. 5.

2. Issue notices to the respondents in the present M.A., returnable on 3.5.2018.

3. Respective learned Advocates for the respondents waive notice for respective respondents.

4. Status quo as granted in W.P. no. 4370/2017 by the Hon'ble Bombay High Court, Bench at Aurangabad vide its order dtd. 3.4.2017 shall continue till disposal of present M.A.

MEMBER (A)

CHAIRMAN

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

M.A. 396/17 IN C.P.ST.1434/17 IN O.A. 522/14

[Shri Bhima V. Kapse & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 03.04.2018.

ORAL ORDER :

Heard Shri L.H. Kawale, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 5th April, 2018.

MEMBER (A)

CHAIRMAN

ORAL ORDERS 03.04.2018-HDD

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

ORIGINAL APPLICATION NO. 905 OF 2017

[Shri Dipak S. Gopalghare Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 03.04.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks permission of this Tribunal to withdraw the present Original Application.

3. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application is disposed of as withdrawn. There shall be no order as to costs.

MEMBER (A)

CHAIRMAN

ORAL ORDERS 03.04.2018-HDD

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

M.A. NO. 112/2018 IN O.A. NO. 834/2017

[Shri Ganesh S. Kale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 03.04.2018.

ORAL ORDER :

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

2. The present M.A. No. 112/2018 has been filed by the applicant seeking permission to amend the Original Application No. 834/2017.

3. Accepting the facts and reasons averred in the M.A., the same is allowed to the extent of prayer clause 'B' only. The applicant shall carry out the necessary amendment in the Original Application.

4. Accordingly, the present M.A. stands disposed of with no order as to costs.

MEMBER (A)

CHAIRMAN

ORAL ORDERS 03.04.2018-HDD

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

ORIGINAL APPLICATION NO. 834 OF 2017

[Shri Ganesh S. Kale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 03.04.2018.

ORAL ORDER :

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

2. Admit.

3. The present O.A. to come up for final hearing in due course of time.

MEMBER (A)

CHAIRMAN

ORAL ORDERS 03.04.2018-HDD

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

M.A.ST. 1643/17 IN C.P.ST.1812/15 IN O.A. 142/13
[Dr. Jeevansingh D. Taji Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE A.H. JOSHI, CHAIRMAN
AND
SHRI ATUL RAJ CHADHA, MEMBER (A)**

DATE : 03.04.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 6th June, 2018.

MEMBER (A)

CHAIRMAN

ORAL ORDERS 03.04.2018-HDD