

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

**ORIGINAL APPLICATION NO.536/2017
(HarichandraSapkale V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri S.N.Lute learned Advocate for the applicant and Smt. DeepaliDeshpande learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 17-01-2018 for filing affidavit in compliance of the earlier order/s.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.629/2017
(Shri Vijay Lokhande V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri PrafullBodade learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicant and Smt. DeepaliDeshpande learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.2 and 6. It is taken on record. Copy thereof has been served on the other side.

3. At the request of learned P.O., S.O. to 30-01-2018 for filing reply on behalf of other respondents.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

**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.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

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

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

3. S.O. to 30-01-2018. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.728/2017
(SudhakarMunde V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Smt. JueePalekar-Parlikar learned Advocate holding for Shri S.D.Joshi learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 31-01-2018.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.744/2017
(DashrathGaikwad V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri Amol P. GhulePatil learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. 18-01-2018.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.959/2017
(RamraoKulkarni V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for time for producing copy of order regarding fixation of pay and to satisfy the Tribunal on the point of maintainability of the O.A. in view of the order dated 11-06-2008 passed by the Tribunal in O.A.No.696/2004.

3. S.O. to 31-01-2018.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.611/2017
(NagnathJadhav V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri S.G.Kulkarni learned Advocate holding for Shri S.D.Dhongde learned Advocate for the applicant and Smt. PriyaBharawadkar learned Presenting Officer for respondents.

2. Issue fresh notices to the respondents, returnable on 20-02-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 20-02-2018.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.812/2017
(ShrishailSadegaonkar V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri G.M.Sharma learned Advocate holding for Shri N.P.Dubey learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Issue fresh notices to the respondents, returnable on 20-02-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O.to 20-02-2018.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

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

**M.A.No.87/2017 IN O.A.St.No.280/2017
(PunamchandBainade V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to take instructions from the applicant.

Time granted.

3. S.O. to16-02-2018.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**M.A.No.320/2017 IN O.A.St.No.423/2017
(TusharMahajan V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri S.B.Mene learned Advocate holding for Shri R.N.Bharaswadkar learned Advocate for the applicant and Smt. SanjivaniGhate learned Presenting Officer for respondents.

2. Issue fresh notices to the respondents, returnable on 21-02-2018.

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

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

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

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

7. S.O.to 21-02-2018.

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

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.579/2013
(D.D.Gavande&Ors.V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri S.D.Dhongde learned Advocate for the applicant and Smt. SanjivaniGhate learned Presenting Officer for respondents.

2. Learned Advocate for the applicant prays for time for filing M.A. for amendment. Time granted.

3. S.O. to 21-02-2018.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.395/2017
(ShobhaPathak V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard ShriS.D.Joshi learned Advocate for the applicant, Smt. PriyaBharaswadkar learned Presenting Officer for respondent no.1 and Shri S.B.Mene learned Advocate for respondent nos.2 and 3.

2. At the request of learned Advocate for respondent nos.2 and 3, S.O. to 31-01-2018 for filing affidavit in reply.

MEMBER (J)

YUK ORAL ORDER 08-01-2018F

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

**ORIGINAL APPLICATION NO.909/2017
(Baswantsing Rajput V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri K.B.Jadhav learned Advocate for the applicant and Smt. PriyaBharaswadkar learned Presenting Officer for respondents.

2. The applicant has challenged the order date 03-08-2016 passed by the respondent no.4 by which the applicant was held guilty in the charges leveled against him in an enquiry and imposed fine of Rs.3000/- on the applicant and his suspension period was treated as it is. Said decision has been confirmed to the extent of treating the suspension period as it is in the appeal preferred by the applicant before Special Inspector General of Police Nagpur but fine was reduced to Rs.100/-.

3. Learned Advocate for the applicant has submitted that after decision of the appeal by Special Inspector General of Police on 30-12-2016, the applicant had filed revision

petition before respondent no.2 Director General of Police, Mumbai on 11-02-2017 and the same is still pending. He has submitted the respondent no.2 has not decided the same, and therefore, the applicant has approached the Tribunal. He has submitted that necessary direction may be given to the respondent no.2 to decide representation of the applicant within stipulated time and with that direction O.A. may be disposed of.

4. Learned P.O. has submitted that necessary order may be passed.

5. The order passed by the respondent no.3 Special Inspector General Nagpur on 30-12-2016 in the appeal challenging imposition of fine in the enquiry has been challenged by the applicant in revision on 11-02-2017 before respondent no.2 and the said revision is still pending before the respondent no.2. Therefore, it is necessary to direct the respondent no.2 decide revision filed

by the applicant within 3 months from the date this order.

6. Therefore, respondent no.2 is directed to decide the revision filed by the applicant on 11-02-2017 within 3 months from the date of passing of this order as per rules. O.A. stands disposed of accordingly with no order as to costs.

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 125/2017
(Shri Syed Amjad Syed Hamza V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Shri V.G. Pingle, learned Advocate holding
for Shri A.D. Gadekar, learned Advocate for the
applicant and Shri N.U. Yadav, learned
Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 14.02.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 635/2017
(Shri Sakharam B. Rakh V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Shri V.G. Pingle, 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 16.02.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 141/2017
(Smt. Vijaya R. Jetty V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Shri A.C. Deshpande, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that he will file rejoinder affidavit during the course of the day.

3. S.O. to 29.01.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 147/2017
(Shri Ajitkumar R. Saswade V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 15.02.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 501/2017
(Shri Dhadku B. Mahale V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Shri PrafullaBodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 to 3 and Shri S.U. Choudhary, learned Advocate holding for Shri V.S. Choudhary, learned Advocate for respondent No. 4.

2. Learned Presenting Officer for respondent Nos. 1 to 3 as well as learned Advocate for respondent Nos. 4 seeks time to file affidavit in reply. Time granted.

3. S.O. to 16.02.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 09/2018
(Dr. Subhash P. Pawar V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to take instructions from the respondents. Time granted.

3. S.O. to 11.01.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 517/2017 in O.A. St. No. 1462/2017
(Shri Anant R. Gawali V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Heard R.D. Khadap, 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 11.01.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION ST. NO. 08/2018
(Shri Anil G. Lokhande V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 16.01.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 240/2016
(Shri Ramkishan B. Khajekar V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 29.01.2018 for passing necessary orders.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION ST. NO. 16/2018
(Smt. SkSabiyaabenSkIlliyas V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant is directed to remove the office objections first and then ask for circulation of the present Original Application.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 234/2017
(Shri Chandrakant B. Ghule&Ors.V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing the copy of the Writ Petition, if any filed. Time granted.

3. S.O. to 16.01.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 235/2017
(Shri Krushna P. Kotole&Anr.V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing the copy of the Writ Petition, if any filed. Time granted.

3. S.O. to 16.01.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 377/2017

(Shri Baburao P. Pawar&Ors.V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time for filing the copy of the Writ Petition, if any filed. Time granted.

3. S.O. to 16.01.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 879/2016
(Shri ShaikhMujibShaikhGafar V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Shri V.G. Pingle, learned Advocate has filed VAKILPATRA on behalf of the applicant and the same is take on record. Shri M.P. Gude, learned Presenting Officer for respondents, present.

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

3. S.O. to 14.02.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 528/2017
(Shri Prakash T. Vaichal V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Smt. VidyaTaksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 19.01.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

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

**ORIGINAL APPLICATION NO. 68/2017
(Shri Prakash E. Dadpe V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1, 3 to 5 and Shri Shamsundar B. Patil, learned Advocate for respondent No. 2.

2. Learned Presenting Officer as well as learned Advocate for respondent No. 4 seeks time to file affidavit in reply.

3. On perusal of the record it reveals that the ample opportunities have been given to the respondents for filing affidavit in reply, but they have failed to file affidavit in reply and now they are again seeking time for filing affidavit in reply. There is no just ground to grant time for filing affidavit in reply. However, in the interest of justice, time is granted to the respondents for filing affidavit in reply subject to payment of Costs of Rs. 5,000/- (Five Thousand Only) each. The costs shall be deposited in the registry of this Tribunal.

4. S.O. to 23.01.2018.

MEMBER (J)

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 266/2017

(Shri Sandipan Anna Gavali V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

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

2. The applicant has filed the present Original Application claiming following reliefs:-

“ B) That, the respondent No. 3 may please be directed to draw and disburse the provisional pension of the applicant till the finalization/settlement final pension pay from 1.10.2016 onwards.

C) The respondent No. 1 may please be directed to decide the leave proposal No. LVE-0208/CR/662/POL-5-B, E-Office No. 21013/3/2016.

D) It may further please be directed after receipt of approval to the leave proposal from the respondent No. 1 the respondent No. 2 shall forward the proposal of final pension to the respondent No. 3 within a stipulated period.”

3. The respondents filed their affidavit in reply and stated that the respondent No. 2 sent the proposal of the applicant for provisional pension to the respondent No. 1 for approval vide letter dated 15.12.2017. The said proposal is pending with the respondent No. 1. Not only this, but the respondent No. 1 has forwarded the proposal to sanction the leave of the applicant for the period from 4.11.1999 to 26.09.2005 and the same is pending with the Finance Department. The respondents have submitted that after sanctioning the leave period of the applicant, final proposal will be submitted to the Accountant General, Nagpur-II.

4. Learned Advocate for the applicant has submitted that since the proposal to grant leave and provisional pension are pending with the respondent No. 1, the necessary directions may be given to the respondent No. 1 to decide the said proposal within a stipulated time and with that directions, the O.A. may be disposed of.

5. Learned Presenting Officer seeks two months' time to decide the proposal sent by the respondent No. 2 to grant of leave of the applicant and provisional pension. He has submitted that on granting leave proposal of the applicant, papers regarding regular pension of the will be submitted to the respondent No. 3 by the respondent No. 2 within a reasonable period.

6. In view of the submissions advanced by both the parties, it is just and proper to direct the respondent No. 1 to take decision on the proposal to grant provisional pension to the applicant as well as on the proposal to grant leave of the applicant for the period from 4.11.1999 to 6.8.2005 within a period of two months from the date of this order and it is also necessary to direct the respondent Nos. 1 and 2 to send the proposal regarding grant of regular pension to the applicant within two months after granting the leave to the applicant.

7. In view of this, the Original Application stands disposed of with a direction to the

//4//

O.A. No. 266/2017

respondent No. 1 to take decision on leave proposal and provisional pension proposal of the applicant within a period of two months from the date of this order as per Rules. On deciding the proposal of leave period of the applicant, the respondent Nos. 1 and 2 are directed to forward the pension papers for granting regular pension to the applicant within a period of two months to the respondent No. 3 i.e. the Accountant General, Nagpur-II. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

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

**ORIGINAL APPLICATION NO. 385/2017
(Shri ChandulalBarkuSathe V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Today, the learned Presenting Officer has placed on record a copy of communication dated 4.1.2018 sent by the Desk Officer, Maharashtra State to the Director, Medical Education and Research, Mumbai and the order dated 6.1.2018 passed by the Director, Medical Education and Research, Mumbai cancelling the impugned transfer order dated 15.06.2017. Same are taken on record and marked as Exhibit 'X' and 'X-1' for the purposes of identification.

3. Learned Advocate for the applicant has submitted that since the impugned transfer order has been cancelled by the respondents, the present Original Application may be disposed of.

//2//

O.A. No. 385/2017

4. Since the impugned transfer order dated 15.06.2017 is cancelled by the respondent No. 2 by order dated 06.01.2018, nothing remains in the present Original Application and hence, the same stands disposed of with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 737/2017
(Shri Sureshsing K. Taji V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Shri S.D. Dhongde, 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 18.01.2018.

MEMBER (J)

KPB ORAL ORDER 08-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 475/2017
(Shri Chandrakant S. Jadhav V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate holding for Shri P.P. More, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. After hearing the matter for considerable time, it is closed for orders.

MEMBER (J).

LATER ON

3. Shri D.R. Patil, learned Presenting officer for the respondents seeks time to file written notes of arguments. Time granted.

4. S.O. to 19.01.2018.

MEMBER (J).

KPB ORAL ORDER 08-01-2018

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

**ORIGINAL APPLICATION NO.480/2017
(Dnyaneshwar B. Sonawane&Ors.Vs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

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

2. The learned P.O. submits that he would file affidavit in reply of res. no. 2 during the course of the day. He also submits that copy thereof would be served upon the learned Advocate for the applicant. In the circumstances S.O. to 16.2.2018 for hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**ORIGINAL APPLICATION NO. 535/2017
(Dr. Shrinivas R. JadhavVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

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

2. The learned P.O. submits that he would file affidavit in reply of the respondents during the course of the day. He also submits that copy thereof would be served upon the learned Advocate for the applicant.

3. In the circumstances S.O. to 7.2.2018 for hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**ORIGINAL APPLICATION NO. 543/2017
(Dr. Prithviraj K. Chavan Vs. The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

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

2. The learned P.O. submits that he would file affidavit in reply of the respondents during the course of the day. He also submits that copy thereof would be served upon the learned Advocate for the applicant.

3. In the circumstances S.O. to 7.2.2018 for hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**ORIGINAL APPLICATION NO. 702/2017
(Sachin A. BachkarVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri D.A. Bide, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the 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 08-01-2018

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

**ORIGINAL APPLICATION NOS. 820, 821, 822 & 929 ALL OF 2017
(Aruna K. Sanap & Ors. Vs. The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

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

2. The learned Advocate for the applicants drew the attention of the Tribunal towards the order already passed by the principal seat of this Tribunal at Mumbai in O.A. nos. 1007, 1052, 1056, 1057 & 1070/2017 dated 29.11.2017 (page 65 in O.A. no. 929/2017) and the additional order passed by the Tribunal at Aurangabad Bench in O.A. no. 898/2017 dated 5.1.2018, which would show that the similarly situated candidates were allowed to participate in the selection process by holding their candidature from Open category as valid.

3. In the circumstances, the respondent – M.P.S.C. – is hereby directed to take corrective steps in the matter on the line of orders already passed by the Tribunal, a reference of which is made in the above para and to file report thereof on the next date. In case the respondent –

M.P.S.C. – comes to the conclusion that no corrective steps can be taken despite the earlier orders of the Tribunal, then short reply explaining the reasons therefor be filed on the next date. In the circumstances, S.O. to 21.2.2018 for filing report and / or for filing short reply, by the concerned respondent.

4. 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. 848/2017
(Ranipancheela S. BansodeVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri PrafullaBodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**M.A. 224/2017 IN CP ST. 839/2017 IN OA 440/2016
(Dr. Chandrashil S. ThokalVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 15.2.2018 for taking instructions from the concerned respondent on the line of order dtd. 2.11.2017.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**M.A. 385/2017 IN OA ST. 967/2017
(Sharad G. JadeVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

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

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

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**M.A. 425/2017 IN OA 659/2014
(Sachin R. KasarVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

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

2. The learned Advocate for the applicant seeks time to amend the M.A. and also to file additional documents on record as allowed vide order dtd. 12.12.2017. At his request, S.O. to 17.1.2018 for hearing. In the mean time amendment be carried out and additional documents, if any, be filed in the Office.

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**O.A. NO. 484/2013
(Nagnath S. JadhavVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri D.A. Bide, learned Advocate holding for Shri H.P. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Shri Bide, learned Advocate holding for Shri Jadhav, learned Advocate for the applicant seeks time to satisfy the query raised by the Tribunal vide order dtd. 6.7.2017. At his request S.O. to 8.2.2018 for satisfying the query raised vide order dtd. 6.7.2017.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 305/2014
(Rohan V. AundhekarVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

None appears for the applicant.Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, is present.

2. The learned P.O. seeks time to file additional affidavit as per order dtd. 2.11.2017. At her request, S.O. to 15.2.2018 for filing additional affidavit as per the order dtd. 2.11.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**ORIGINAL APPLICATION NO.608/2015
(Pradeep D. PawarVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri D.A. Bide, learned Advocate holding for Smt. Supriya R. Bhilegaonkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time. It is to be noted that Smt. Bhilegaonkar, learned Advocate for the applicant was absent on last 2 occasions. However, in the interest of justice S.O. to 21.02.2018 to satisfy the query raised by the Tribunal earlier.

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**ORIGINAL APPLICATION NO. 74/2017
(Vijaysing K. Wagh&Ors.Vs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri D.J. Patil, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. The learned P.O. files on record communication dtd. 6.1.2018 received to her from the State to the effect that decision of the Hon'ble High Court in the similarly situated matter i.e. W.P. no. 7395/2016 is pending. The said communication is taken on record and marked as document 'X' for the purpose of identification.

3. Since arguable case is made out, the present O.A. is admitted. The interim relief granted earlier to continue for further 4 months from the date of this order, with liberty to move the matter for continuation of interim relief.

4. The present matter is removed from the board for time being and it be placed for final hearing before the Division Bench as when it is available.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 838/2017
(Baliram V. Kadam&Ors.Vs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri AvinashKhedkar, learned Advocate holding for Shri A.B. ChalakPatil, learned Advocate for the applicantsand Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The learned P.O. seeks time on the ground that, instructions on the line of order dtd. 12.12.2017 are awaited. At his request, S.O. to 21.2.2018 for making submissions or for filing copy of the decision as referred in the order dtd. 12.12.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**ORIGINAL APPLICATION NO. 393/2017
(Taslim Khan Chand Khan Vs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri (Dr.) Swapnil Tawshikar, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 4 and Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for respondent no. 5.

2. The learned Advocate for the applicant has filed rejoinder. It is taken on record and copy thereof has been served upon the other side. The learned Advocate for res. no. 5 seeks time.

3. In the circumstances, S.O. to 16.1.2018 for hearing on the point of continuation of interim relief. The interim relief to continue till then.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 347 & 802/2015
(Dipak D. Edke&Ors. and Raosaheb J. MhaskeVs.The State of Maharashtra and
Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri Avishkar S. Shelke, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicants points out the order dtd. 23.2.2017 and submits that, till this date no steps are taken by the concerned respondents on the line of the said order. The learned Advocate further submits that, only because the learned C.P.O. made a statement on 6.12.2017, in his absence, that, facility of appointment on compassionate ground is not available in the case of the Kotwal, this Tribunal has not taken action against the concerned respondents as per earlier order. In this regard he relies on the G.R. dated 28.2.1974 (Annex. A.9 page 61) and more particularly item no. 8 thereof. He submits that, reference of the said G.R. is also made in the advertisement. In the circumstances, he submits that, the respondents ought to have taken an action on the basis of earlier order. He submits that the

concerned respondent has not deposited the costs of Rs. 10,000/- as directed by the Tribunal vide order dtd. 20.6.2017.

3. Today the learned C.P.O. is on leave. He is hereby directed to make a statement on 7.2.2018 on the line of above facts and also seek report from the concerned respondents regarding deposit of costs as imposed by the Tribunal vide order dtd. 28.6.2017 and also comply earlier orders, failing which this Tribunal would be compelled to take coercive action against the concerned respondents.

4. Smt. Resha S. Deshmukh, learned P.O. is hereby directed to communicate this order to the learned C.P.O. & also to the concerned respondent.

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.255/2015
(Rajaram A. SandeVs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

Heard Shri A.R. Devkate, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 5.2.2018 for filing affidavit in reply to the amended O.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 08-01-2018

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

**M.A. NO. 378/2016 WITH MA ST. 1633/2016 IN O.A. ST. 1634/2016
(Vyankat S. More &Ors.Vs.The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 08.01.2018

ORAL ORDER :

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

2. Exh. A.2 of O.A. the impugned order passed by the concerned respondent of recovery of certain amount from the salary of the applicant is served on him on 12.7.2013. The learned Advocate for the applicant relies on the order of the Tribunal dtd. 16.10.2010 in O.A. no. 382/2009 (Exh. A.5 page 56 of O.A.).In the circumstances, in my view, the delay is in fact not of 8 years & 214 days in filing the accompanying O.A. as pleaded by the applicant, but it is of 2 years.

3. Considering the fact that the applicant is working in a Class-IV category, for the reasons stated in the present M.A. it is allowed and disposed of without any order as to costs and the delay of 2 years caused in filing accompanying O.A. is condoned.

4. The M.A. st. 1633/2017 & the O.A. St. no. 1634/2016 be placed for hearing on 7.2.2018.

VICE CHAIRMAN

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

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

[Shri Sambhaji S. PatilVs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri NitinChoudhari, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A. No. 509/2017, returnable on 22ndFebruary, 2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the 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 22ndFebruary, 2018.

8. Steno copy and hamdust is allowed to both the parties.

VICE CHAIRMAN

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

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri Nitin Choudhari, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A. No. 510/2017, returnable on 22nd February, 2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the 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 22nd February, 2018.

8. Steno copy and hamdust is allowed to both the parties.

VICE CHAIRMAN

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

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

[Shri Mangesh A. GuravVs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri NitinChoudhari, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A. No. 511/2017, returnable on 22ndFebruary, 2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the 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 22ndFebruary, 2018.

8. Steno copy and hamdust is allowed to both the parties.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 689 OF 2015

[Dr. Shrikant B. TambeVs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Smt. Kalyani Chandol, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 4. None appears for respondent Nos. 5 & 6.

2. Learned Advocate for the applicant seeks accommodation. It is to be noted that an opportunity has already been granted to the applicant by this Tribunal by an order dated 05.12.2017 for making statement on the line of order dated 01.11.2017.

3. In the circumstances, as a last chance S.O. to 7th February, 2018 either for making submissions on the line of the order dated 01.11.2017 or to pass necessary orders.

VICE CHAIRMAN

ORAL ORDERS08.01.2018-HDD

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

**O.A.NO.599/16 WITH M.A.317/17 IN O.A.ST.985/17 WITH
M.A.318/17 IN O.A.ST.986/17**

[Smt. Sunita R. Bahiram&Ors.Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Shri Dnyaneshwar J. Patil, learned Advocate for the applicants in all these cases (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases, present.

2. Learned Presenting Officer submits that the learned Chief Presenting Officer was to conduct the matter and make the submissions on the line of the order passed by this Tribunal dated 26.09.2017. The short affidavit has already been filed on behalf of respondent Nos. 1 to 3 on 03.11.2017.

3. At the request of learned Presenting Officer for the respondents, S.O. to 8th February, 2018 for making the statement on the above line.

VICE CHAIRMAN

ORAL ORDERS08.01.2018-HDD

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

ORIGINAL APPLICATION NO. 730 OF 2016

[Shri Dipak K. BahirVs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Smt. ShilpaJahagirdar, learned Advocate holding for Shri Nikhkilesh K. Tungar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri D.A. Bide, learned Advocate holding for Shri R.E. Pathade, learned Advocate for respondent Nos. 3, 4 & 5. None appears for respondent Nos. 6 & 7.

2. Learned Advocate for the applicant seeks time for making statement on the line of the order passed by this Tribunal dated 8.11.2017. Time granted as a last chance.

3. S.O. to 15th February, 2018.

VICE CHAIRMAN

ORAL ORDERS08.01.2018-HDD

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

ORIGINAL APPLICATION NO. 869 OF 2016

[Shri Dhanraj T. LazadeVs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Shri A.K. Tiwari, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. Read order dated 26.09.2017. Upon reading the order, it is clear that the arguable case is made out. **Admit.** Learned Presenting Officer waives notice for admission.

3. The present case be removed from the board and it be placed before the Division Bench as and when it is available.

VICE CHAIRMAN

ORAL ORDERS08.01.2018-HDD

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

ORIGINAL APPLICATION NO. 858 OF 2016

[Shri Sunil L. Jadhav&Ors.Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 15th February, 2018.

VICE CHAIRMAN

ORAL ORDERS08.01.2018-HDD

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

M.A.NO. 283/2016 IN O.A.ST.NO. 1167/2016

[Shri Sudhakar M. Davkare Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri N.K. Choudhary, learned Advocate holding for Shri N.S. Choudhary, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 6, 8 & 9. Shri D.P. Bakshi, learned Advocate for respondent No. 7 (**absent**).

2. Learned Advocate for the applicant has filed BREAKSUP OF POSTS as per the earlier directions given by this Tribunal and the same is accepted and taken on record and the copy thereof has been served on the learned Presenting Officer.

3. In that view of the matter, S.O. to 16th February, 2018 for hearing.

VICE CHAIRMAN

ORAL ORDERS08.01.2018-HDD

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

ORIGINAL APPLICATION NO. 442 OF 2017

[Shri Sunil P. WakchaureVs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S Shelke, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 15th February, 2018 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS08.01.2018-HDD

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

ORIGINAL APPLICATION NO. 105 OF 2017

[Shri Nagesh S. MapariVs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Shri G.K. Kshirsagar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri D.A. Bide, learned Advocate holding for Shri S.G. Kawade, learned Advocate for respondent Nos. 4, 5 & 10. None appears for respondent Nos. 3, 6 to 9 and 11 to 15.

2. Both the sides submit that copy of the judgment and order passed by the Hon'ble Bombay High Court in W.P. No. 5868/2014 has already been placed on record at page-40.

3. In that view of the matter, time to file affidavit in reply on behalf of respondent Nos. 1 & 2 is hereby granted.

4. S.O. to 21st February, 2018 for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

VICE CHAIRMAN

ORAL ORDERS08.01.2018-HDD

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

ORIGINAL APPLICATION NO. 83 OF 2017

[Smt. SayyadJarinabi&Ors. Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Shri P.A. Kulkarni, learned Advocate for the applicants (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, present.

2. It appears from the proceedings that on the last two occasions i.e. on 31.10.2017 & 12.12.2017 nobody was present on behalf of the applicants. Today also nobody appeared on behalf of the applicants. In the circumstances, the present Original Application is dismissed in default. No order as to costs.

VICE CHAIRMAN

ORAL ORDERS 08.01.2018-HDD

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

ORIGINAL APPLICATION NO. 143 OF 2017

[Shri Udalsing R. NaglotVs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

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

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

3. Upon hearing on both sides it appears that as per the recruitment rules, Annexure '1' page-52, it is necessary that the candidate seeking selection for the post of Laboratory Assistant inter alia possess a Diploma in Medical Laboratory Technology from an institute recognized by the Government. The rules are framed by the Maharashtra Government. Learned Presenting Officer points that in fact, the diploma possessed by the applicant, is from an institute, which is not recognized by the State Government. Learned Advocate for the applicant

O.A. NO. 143 OF 2017

submits that the said institute from which the diploma is obtained is recognized by the Central Government.

4. Learned Presenting Officer further points that the Original Application No. 1204/2009 filed on the same fact, a copy of which is at Exhibit 'R-1' Colly., page-71. On perusal of the said judgment it would show that this point is already considered by the Tribunal and the O.A. came to be dismissed

5. Learned Advocate for the applicant submits that since affidavit in reply on behalf of respondent Nos. 1 & 2 is filed today only, sometime may be given.

6. At his request, S.O. to 8th February, 2018 for making submissions

VICE CHAIRMAN

ORAL ORDERS 08.01.2018-HDD

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

ORIGINAL APPLICATION NO. 192 OF 2017

[Shri Ramrao W. Misal & 5 Ors. Vs. State of Maharashtra & Others]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 08.01.2018.

ORAL ORDER :

Heard Ms. P.R. Wankhade, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that she has no instructions for filing affidavit in reply on behalf of respondent No. 1 though on many occasions she contacted personally to him. Upon hearing of the O.A., it appears that as the provision in the Government Resolution is challenged, the affidavit of respondent No. 1 is very much necessary. The Original Application is being dragged simply because of the negligence either of the respondent No. 1 or the officer under him.

3. In the circumstances, as a last chance, S.O. to 15th February, 2018 with a caveat that in case no affidavit is filed on behalf of respondent No. 1 on the next date, this Tribunal would be constrained to impose heavy costs on the respondent No. 1

O.A. NO. 192 OF 2017

and/or to call the responsible officer before the Tribunal.

4. With these observations, S.O. to 15th February, 2018 for filing affidavit in reply of respondent No. 1.

5. Learned Presenting Officer to act upon steno copy.

VICE CHAIRMAN

ORAL ORDERS 08.01.2018-HDD