

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

**ORIGINAL APPLICATION NO.113/2012
(Bhagwat s/o. Tulshiram Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018

ORAL ORDER :

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

2. In view of absence of learned Advocate for the applicant, S.O. 01-03-2018.

YUK ORAL ORDER 16-01-2018 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.158/2017
(Dr. Surekha More V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018

ORAL ORDER :

Heard 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 as well as the learned P.O., S.O. to 29-01-2018.

3. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 16-01-2018 F

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

**ORIGINAL APPLICATION NO.19/2018
(Sayyad Asad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. Issue notice 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 16-01-2018 F

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

SUO MOTO CONTEMPT PETITION NO.05/2018

IN

ORIGINAL APPLICATION NO.759/2018

**(Rohini Sushilkumar Deokar V/s. L.R.Ghodke, Deputy Director of Health
Services, Nashik Region, Nashik)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

Shri V.B.Wagh learned Advocate for the
applicant is **absent**. Shri L.R.Ghodke
(Contemnor) is **absent**.

Shri I.S.Thorat learned Presenting Officer
for the State is present.

2. Since none is present for the applicant,
S.O. to 25-01-2018.

MEMBER (J)

YUK ORAL ORDER 16-01-2018 F

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

**M.A.No.23/2018 IN O.A.No.956/2017
(Kalyani Dnyaneshwar Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. It seems that the case is already fixed on
30-01-2018. Hence, this case may be kept on
30-01-2018.

3. S.O. to 30-01-2018.

MEMBER (J)

YUK ORAL ORDER 16-01-2018 F

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

**ORIGINAL APPLICATION NO. 250/2015
(Shri Pralhad S. Pande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 12.2.2018 for compliance of the order dtd. 2.11.2017.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 274/2017
(Shri Anil A. Beedkar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

Heard Shri Y.P. Deshmukh, learned
Advocate for the applicants and Shri I.S. Thorat,
learned Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicants, S.O. to 25.1.2018.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 393/2017
(Shri Taslim Khan Chand Khan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. With consent of both the sides, S.O. to 25.1.2018 for hearing on the point of continuation of interim relief. The interim relief granted earlier to continue till then.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 569/2017
(Smt. Anuradha A. HiwarleV/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. With consent of both the sides, S.O. to
12.2.2018 for hearing on admission.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 656/2017
(Shri Rapes A. Bhusawale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. With consent of both the sides, S.O. to
24.1.2018 for hearing on admission.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 719/2017
(Shri Sainath L. Todkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. The learned P.O. has filed short affidavit of res. nos. 1 to 3 in view of order dtd. 6.10.2017. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. With consent of both the sides, S.O. to 2.2.2018 for hearing on admission.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 780/2017
(Shri Ramhari N. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 to 6. None appears for respondent no. 7.

2. It appears from the report of Office dated 9.1.2018 that the res. no. 7 is served by the applicant after due date.

3. In the circumstances, issue fresh notice to res. no. 7, returnable on 16.2.2018.

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

5. Applicant is authorized and directed to serve on respondent no. 7 intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent no. 7 is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

8. S.O. to 16.2.2018.

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

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 781/2017
(Shri Bhagwan N. Bodke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to
31.1.2018 for filing affidavit in reply as a last and
final chance.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to
31.1.2018 for filing affidavit in reply as a last and
final chance.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**M.A. NO. 371/2017 IN O.A. ST. 1375/2017
(Shri Ashok R. Khandagale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

Heard Shri S.R. Sapkal, learned Advocate
for the applicant and Shri S.R. Yadav, learned
Presenting Officer for respondents.

2. At the request of learned P.O. S.O. to
25.1.2018 for filing affidavit in reply.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**M.A. NO. 470/2017 IN O.A. ST. 735/2017
(Shri Chandrabhan H. Parate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

Heard Shri N.D. Thombre, learned Advocate holding for Shri R.H. Bharaswadkar, learned Advocate for the applicant in the present M.A., Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 & 2 in the present M.A. and Shri A.B. Jagtap, learned Advocate for respondent no. 3 in the present M.A. / applicant in O.A.

2. At the request of learned C.P.O. S.O. to 25.1.2018 for filing affidavit in reply.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**C.P. ST. 1643/2017 IN C.P. ST. 1812/2015 IN O.A. NO. 142/2013
(Dr. Jeevansing D. Taji V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to
2.2.2018 for filing affidavit in reply in the present
C.P.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 478/2014
(Shri Amarjeet N. Satwase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. In view of absence of learned Advocate for the applicant, S.O. to 9.2.2018 for making submissions on the line of the order dtd. 28.8.2017.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 419/2015
(Shri Dnyaneshwar D. Giri V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. With consent of both the sides, S.O. to
9.2.2018.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 498/2015
(Shri Fakirsaheb B. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate
for the applicant and Smt. Resha S. Deshmukh,
learned Presenting Officer for respondents.

2. With consent of both the sides, S.O. to
12.2.2018.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 544/2015
(Shri Nouman Khan Sayeed Khan Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 16.01.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 12.2.2018 for taking instructions from the applicant.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

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

**ORIGINAL APPLICATION NO. 542/2017
(Dr. Sunil P. Bhamre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018

ORAL ORDER :

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

2. At the request of learned C.P.O. for the res. nos. 1 to 3, S.O. to 25.1.2018 for going through the original record and making his submissions.

MEMBER (J)

ARJ ORAL ORDERS 16-01-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 87/2017 in O.A. St. No. 280/2017
(Shri Punamchand S. Bainade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 09.02.2018.

MEMBER (J)

KPB ORAL ORDER 02-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 621/2017
(Shri Shivananda B. Darade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

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

3. S.O. to 26.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 476/2017
(Shri Balasaheb M. Ghadge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

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

3. S.O. to 27.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 477/2017
(Shri Ayub L. Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

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

3. S.O. to 27.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 478/2017
(Shri Bhagwant G. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

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

3. S.O. to 27.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 485/2017
(Shri Sarang B. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

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

3. S.O. to 27.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

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 : 16.01.2018.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Shri V.R. Bhumkar, 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 28.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 313/2017
(Shri Tulshiram B. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 12.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 27/2016 in O.A. No. 575/2017
(Shri Mahadu S. Bangale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Shri P.V. Suryawanshi, learned Advocate holding for Shri S.K. Mathpati, 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 28.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 434/2016
(Dr. Abdul Salim Abdul Karim V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 01.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

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

**ORIGINAL APPLICATION NO. 24/2018
(Shri Firoz K. Jamadar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 28-02-2018.
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 28-02-2018.
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. 11/2018 in O.A. No. 03/2018
(Shri Shivaji S. Hajare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 27.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 15/2017
(Shri Subhash M. Sonwane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Shri Sanjay Kolhare, learned Advocate for the applicant (**Absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 26.02.2018 for passing necessary orders.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 106/2016
(Smt. Jayshree S. Kakde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Shri S.B. Solanke/P.R. Solanke, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 17.01.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

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 : 16.01.2018.

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 to file on record a copy of the Writ Petition. Time granted as a last chance.

3. S.O. to 07.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file on record a copy of the Writ Petition. Time granted as a last chance.

3. S.O. to 07.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

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 : 16.01.2018.

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 to file on record the copy of the Writ Petition. Time granted as a last chance.

3. S.O. to 07.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 527/2017
(Shri Shahadeo S. BVangar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

2. Today, the learned Presenting Officer has placed on record a copy of the communication dated 10.01.2018 received to him from the Desk Officer, Maharashtra State and seeks time to file affidavit in reply. Time granted as a last chance.

3. S.O. to 27.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 580/2017
(Shri Shubhamangal S. Bhakt V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

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

3. S.O. to 28.02.2018.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

**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 : 16.01.2018.

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 directions to the respondents to revoke the suspension order dated 25.10.2017 in view of the principles laid down by the Hon'ble Supreme Court in case **of Ajay Kumar Choudhary Vs. Union of India (UOI) and Ors. in Civil Appeal No. 1921 of 2015 (Arising out of SLP (C) No. 31761 of 2013)** on 16.02.2015.

3. On perusal of the record, it reveals that the applicant has filed the representation dated 01.01.2018 with the respondents to revoke his suspension in view of the principles laid down in the above cited decision and the said representation is still pending with the respondents.

4. Since the applicant has filed representation dated 01.01.2018 before the respondents for revocation of the suspension order for his reinstatement, the O.A. cannot be admitted in view of provisions of Section 20 (2)(b) of the Administrative Tribunals Act, 1985 as it has been filed before the expiry of period of six months as provided therein. Hence, the O.A. cannot be entertained and admitted. Hence, it is rejected. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

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

**ORIGINAL APPLICATION NO. 29/2018
(Shri Shaikh Yunus Mohamad Pasha V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Heard Shri V.M. Vibhute, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. The applicant has filed the present Original Application seeking directions to the respondents to decide his representation dated 27.12.2017 for correction of date of birth recorded in his service record. It is his contention that the applicant was retired from the service on 30.06.2017 on superannuation and thereafter, the application/ representation dated 27.12.2017 has been filed for correction of date of birth in his service record, but it has not been decided by the respondents and therefore, he is seeking directions in that regard.

3. On going through the record, it reveals that the applicant has not aggrieved by any order passed by the respondents and therefore, the

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O.A. No. 29/2018

O.A. is not maintainable in view of the Section 19 of the Administrative Tribunals Act, 1985 and hence, it is rejected. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO.712/2017.

(Shri Ashok S. Jondhale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Shri G. N. Kulkarni, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for respondents.

2. Learned Presenting Officer for the respondents prays time to file affidavit in reply on behalf of Respondent no.2. Time granted.

3. S.O. to 31.01.2018.

MEMBER (J)

atp ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO.773/2017.
(Shri Abhimanyu S. Kalyan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

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

3. S.O. to 23.2.2018.

MEMBER (J)

atp ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**MA NO.360/17 IN OA ST.1264/17.
(Shri S. M. Bhokare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Shri S. G. Kulkarni, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant prays for time. Time granted.

3. S.O. to 23.2.2018.

MEMBER (J)

atp ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

O. A Nos.786, 787 & 788 al of 2016.

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Heard Shri A. D. Gadekar, learned Advocate for the applicants in all the matters and Shri S. K. Shirse, learned Presenting Officer for respondents in all the matters at length.

2. Reserved for orders.

MEMBER (J)

atp ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**MA NO.10/2018 IN OA NO.772/18.
(Dr. R. B. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Shri Ajay G. Talhar, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for respondents no.1 to 3. None present for the respondents no.4 & 5.

2. Learned Advocate for the applicant has submitted that, the applicant is serving as a Taluka Health Officer, Jamner Dist. Jalgaon in the year 2017. On 2.2.2017 he has been suspended in view of the criminal case registered against him. Learned Advocate for the applicant has submitted that, the respondent no.4 on the basis of the order dated 2.2.2017 passed by the respondent no.1 relieved the applicant and directed the applicant that during suspension period his head quarter will be at Nashik. The applicant has challenged the said order

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by filing present O.A. He has submitted that, meanwhile the applicant has been acquitted by the J.M.F.C. Court No.1 Jalgaon on 9.11.2016. He has submitted that, during the pendency of the O.A. the Govt. has issued the order dated 15.12.2017 and revoked the suspension of the applicant and posted the applicant as a Medical Officer at P. H. C. Kharepatan Tq. Kankavali Dist. Sindhudurg. Learned Advocate for the applicant has further submitted that, in view of the Govt. Resolutions dated 14.10.2011 and 20.04.2013 the applicant ought to have been posted in the same district i.e. in Jalgaon district, but the respondents have posted him in Sindhudurg district, which is far away from his present posting. Therefore, the applicant has prayed to grant stay to the impugned order dated 15.12.2017 to the extent of his posting at P.H.C. Kharepatan Tq. Kankavali Dist. Sindhudurg.

3. Learned Presenting Officer has submitted that, the Govt. has issued impugned order dated 15.12.2017 as per the provisions of Govt. Resolutions dated 14.10.2011 and 20.04.2013. He has submitted that, as per guide-lines given in the G.R. dated 20.4.2013 the applicant has been transferred out of district, as his service is transferable anywhere in Maharashtra and hence there is no illegality in the impugned order and therefore, no stay can be granted to the impugned order dated 15.12.2017.

4. On going through the documents, it reveals that, the applicant was involved in a criminal case for the offence punishable under section 85(1) of Bombay Prohibition Act and under sections 110,112,117 of Bombay Police Act. The case ended in his acquittal on 9.11.2016. Therefore, the respondent-Govt. has revoked the suspension of the applicant and reinstated him in the service by order dated 15.12.2017. On the basis of the guide-lines in the G.R. dated

20.4.2013 the Govt. posted him at P.H.C. Kharepatan Tq. Kankavali Dist. Sindhudurg by the said order. Therefore, in my opinion prima-facie, there is no illegality in the impugned order and therefore, it is not a fit case to grant stay. There is no merit in the application and hence the application deserved to be rejected.

5. Accordingly M.A. stands rejected with no order as to costs.

6. Steno copy be supplied to the learned P.O.

MEMBER (J)

atp ORAL ORDER 16-01-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO.893/2016.
(Shri V. N. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

Shri B. G. Deshmukh, learned Advocate for the applicant and Smt S. K. Ghate Deshmukh, learned Presenting Officer for respondents.

2. The applicant has prayed to issue directions to the respondents to release provisional pension, which has been withheld by the respondents on his conviction of the applicant in a criminal case.

3. It is the contention of the applicant that, he has challenged the judgment of his conviction by filing an appeal in the Hon'ble High Court and Hon'ble High Court stayed the same and released him on bail. It is his further contention that, the said criminal case has not been finally decided and therefore, he requested the respondents to release the provisional pension to him till the final decision of the criminal case by filing

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representations dated 12.12.2014, 24.8.2015, 16.12.2015 and 24.1.2016, but the respondents have not decided the same and therefore, he filed the present O.A.

4. The respondents have contended that, since the applicant has been convicted in a criminal case his provisional pension has been withheld. They have not contended about the filing of the representations filed by the applicant.

5. Learned P.O. has submitted that, the representations filed by the applicant are still pending and they are not finally decided till today.

6. The representations made by the applicant for releasing the provisional pension on the ground that the substantive sentence passed against him in criminal case has been stayed by the Hon'ble High Court, are still pending with the respondents. Therefore, it is just and proper to

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direct the respondents to take decision on the representations within two weeks from the date of this order and file a short affidavit in that regard.

4. S.O. to 31.01.2018.
5. Steno copy be supplied to the learned P.O.

atp ORAL ORDER 16-01-2018

MEMBER (J)

FARAD CONTINUATION SHEET

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

**MA NO.460/16 IN OA ST.1999/2016.
(Shri H. S. Sarode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 16.01.2018.

ORAL ORDER :

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

2. The applicant has prayed to condone the delay by filing the O.A. and seeking direction from the respondents to regularize him in the services on the post of Kotwal of village Antarwali-Khandi Sajja Adgaon Tq. Paithan Dist. Aurangabad.

3. The contention of the applicant is that he is making representations to the respondents continuously for granting remuneration and regularize him in services, but those representations have not been considered by the respondents and therefore, the delay has been

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caused. It is the contention of the applicant that, the delay may be condoned and the O.A. may be decided on merit.

4. The respondent no.4 filed reply and resisted the contention on the ground that, the applicant has not explained the delay by giving satisfactory explanation and therefore, he prayed to reject the application.

5. The learned Advocate for the applicant has submitted that the applicant was serving as Kotwal of village Antarwali Khandi Sajja Adgaon, Tq. Paithan Dist. Aurangabad since 20 years, but he has not received remuneration from the respondent no.4 and his services has not been regularized and therefore, he made representations to the respondents but his representation has not been considered and decided. He has submitted that, the applicant obtained the certificates from concerned

regarding services rendered by him from time to time. He has argued that, since the representation of the applicant has not been decided the applicant has approached the Tribunal. He has argued that, the delay has been occurred to file the O.A. as the representations filed by the applicant were pending with the respondents and therefore, he prayed to condone the delay. He has submitted that, the delay has been explained by the applicant by giving satisfactory explanation and therefore, he prayed to condone the delay.

6. In support of his submissions the learned Advocate for the applicant has placed reliance on the judgment in case of *Ashok Balaji Ratan Vs. Nagpur Improvement Trust, Nagpur* reported in *2004 (3) Mh.L.J. 659*, in the case of *Sonerao Sadashirao Patil and another Vs. godawaribai and others*, reported in *1999 MCR 430*, in the case of *N. Balakrishnan Vs. M. Krishnamurthy* reported in *(1998) 7 Supreme*

Court Cases 123 and in the case of Collector, Land Acquisition, Anantnag and another, Vs. Mst. Katiji and others, reported in AIR 1987 Supreme Court 1353.

7. The learned Presenting Officer has submitted that, the applicant has never been appointed by the respondent no.4 as Kotwal and not a single document has been produced by the applicant to show that he has been posted at village Antarwali-Khandi Tq. Paithan Dist. Aurangabad. He has submitted that, as the applicant has not been appointed as Kotwal no question of his paying salary and regularizing him in services arises. He has submitted that, the applicant has not given proper explanation for condonation of inordinate delay caused for filing O.A.

8. He has further submitted that, the Govt. has framed the rules for recruitment of Kotwal

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and Kotwal cannot be appointed at the instance of Talathi and Circle Inspector without following the due procedure laid down in the rules. On these grounds, he prayed to reject the application.

9. Ongoing through the documents it reveals that, the applicant has claiming that he has been appointed as Kotwal at the instance of Talathi and Circle Inspector from time to time and he had discharged the work accordingly, but no written order has been placed on record by him to show that, he has been appointed at any point of time by following the recruitment rules. Therefore, no question of granting remuneration as well as regularization of his services arises. Moreover, the applicant has not mentioned the specific date when he has been appointed, though he has come with a case that, he has been appointed though before 20 years. He has not explained the delay of more than 17 years caused for filing the O.A. Not a single

reason has been assigned by the applicant in the M.A. for condoning the delay. Therefore, in absence of sufficient causes the delay cannot be condoned.-

10. I have gone through the decisions referred by the learned Advocate for the applicant. The principles laid down in the said decisions are not attracted in this case as the applicant has not given the satisfactory reasons for condoning the delay and therefore, the same are not useful to the applicant.

11. In view of the above said discussions, the M.A. deserves to be rejected. Accordingly M.A. No.460/16 stands rejected. Consequently O.A. St.No.1999/16 also stands rejected. There shall be no order as to costs.

MEMBER (J)

