

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

**ORIGINAL APPLICATION NO. 659/2015  
(Madhukar K. Marsale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. The learned Advocate, on instructions from the applicant, submits that the grievance of the applicant is redressed and the present O.A. has now become infructuous.

3. In the circumstances, the present O.A. is disposed of as it has become infructuous. There shall be no order as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 16-03-2018

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

**C.P. 19/2018 IN O.A. 500/2014  
(Dattatraya D. Parte V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri P.V. Suryawanshi, learned Advocate for the petitioner and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Issue notices to the respondents in the present Contempt Petition, returnable on 18.4.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 16-03-2018

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

**C.P. ST. NO. 180/2018 IN O.A. 825/2015  
(Syed Muzaffaruddin Khan V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned Advocate for the petitioner and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Subject to point of limitation, issue notices to the respondents in the present Contempt Petition, returnable on 24.4.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 16-03-2018

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

**C.P. 15/2014 IN O.A. 1128/1999  
(Ravannath R. Landge V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to 17.4.2018 with a caveat that in case no short affidavit is filed as directed by the Tribunal vide order dtd. 20.2.2018, this Tribunal would be constrained to proceed with the Contempt Petition and or to impose heavy costs on the res. no. 2 personally.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 797/2016  
(Gaurav A. Chavan V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. Read the order of the Tribunal dtd. 4.10.2017. It was observed therein that the present O.A. would not be maintainable. However, in view of non availability of the Division Bench, the present matter be placed before the Division Bench on 16.4.2018 for hearing on admission on the line of order dtd. 4.10.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 16-03-2018

**FARAD CONTINUATION SHEET**

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

**M.A. NO. 90/2018 IN O.A. 327/2017  
(Ajay R. Pofale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri S.R. Dheple, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Advocate for respondent nos. 1 & 2 and Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent nos. 3 & 4.

2. The present M.A. has been filed by the applicant for permission to add party respondents in the O.A. as per the draft amendment.

3. Perused the M.A. Considered the contentions.

4. For the reasons stated in the M.A. it is allowed and disposed of without any order as to costs and the applicant is permitted to add party respondents in the O.A. The applicant to amend the O.A. and to add the party respondents in the O.A., within a period of one week from today.

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 327/2017  
(Ajay R. Pofale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri S.R. Dheple, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Advocate for respondent nos. 1 & 2 and Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent nos. 3 & 4.

2. After addition of party respondents in the present O.A., issue notices to the added respondents, returnable on 27.3.2018.

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

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

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

7. S.O. to 27.3.2018.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 397/2017  
(Janardhan V. Ghasing V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant files on record copy of judgments of the Tribunal in **O.A. no. 467/2015** and the group of other O.As. dtd. 27.4.2016 and copy of the judgment of Hon'ble High Court in **W.P. no. 11651/2016** dtd. 22.1.2018. The same are taken on record and marked as document 'X collectively' for the purpose of identification and copies thereof are supplied to the learned P.O. for the respondents. The learned Advocate for the applicant submits that decisions in the above cases covers the issue involved in the present matter.

3. In the circumstances, the concerned respondents are directed to take into consideration the above decisions rendered by this tribunal and by the Hon'ble High Court and to take corrective steps, if any, in the present



matter on or before 24.4.2018 and to file report about the same on the next date.

In case for any reason the concerned respondents come to the conclusion that corrective steps cannot be taken, then the present O.A. to proceed for passing necessary orders.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 64/2018  
(Bhagwan S. Chavan V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. Shri Dhoble, learned Advocate holding for Shri Godhamgaonkar, learned Advocate for the applicant seeks time for making submissions on the line of order dtd. 2.2.2018. At his request, S.O. to 16.4.2018 for making submissions on the line of order dtd. 2.2.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 16-03-2018

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

**ORIGINAL APPLICATION NO. 497/2017  
(Sd. Abrar Husain s/o Sd. Naser Husain V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. The learned P.O. files on record affidavit in reply of res. nos. 1, 3 & 4 to the amended O.A. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. In the circumstances, S.O. to 16.4.2018 for hearing on admission.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 16-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 614/2017  
(Jeevan N. Wader V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri H.V. Patil, learned Advocate holding for Shri P.P. Uttarwar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned C.P.O., as a last chance, S.O. to 27.3.2018 for filing affidavit in reply of the respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 16-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 438/2017**

**(Dr. Archana Umesh Tiwari (Archana Girdhar Shukla) V/s. State of Maharashtra  
& Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. The present applicant is seeking  
quashment of the decision dtd. 13.4.2017  
(Annex. A - 18) issued by the res. no. 1, which  
pertains to grant of exemption from passing  
Marathi language examination with  
consequential benefits arising therefrom. The  
impugned decision would show that the  
exemption was not granted to the present  
applicant as she had passed Secondary & Higher  
Secondary Education Certification examination  
in Marathi language by availing Marathi as  
second language with 100 marks and, therefore,

unless and until she passes Marathi language examination of Ad-hoc Board, the said exemption cannot be granted to her. Reliance is placed by the res. no. 1 on the Notification dtd. 30.12.1987. The copy of the said Notification is at page 56, which would show that to get exemption, the concerned employee is required to pass S.S.C. examination with Marathi language with 100 marks of question paper as a higher standard subject.

3. Affidavit in reply of res. nos. 1 to 3 at para 10 (page 102) also gives reason that as the present applicant has not passed S.S.C. examination with Marathi language as a higher standard subject, no exemption can be granted to her.

4. The Notification dtd. 31.12.1987 (page 56), however, was amended by the General Administration Department vide Notification dtd. 7.2.2001 (page 72). Rule 1 (A) of the Maharashtra Government Servants (Other than High Court Servants) Marathi Language

Examination Rules, 1987 is accordingly amended and it is provided that, who had passed the Secondary School Certification Examination with Marathi as a higher standard or lower standard subject and obtained 50% or more marks, shall be given exemption.

5. From the above facts, it appears that, while the State Government uses the term 'Higher Standard or Lower Standard' for passing language examination, the S.S.C. Board uses term as 'First Language or Second Language'. Whatever may be the terminology, it appears that, since 7.2.2001 the State Government has accepted the qualification of passing of Marathi language subject either as 'Higher Standard' or 'Lower Standard' in S.S.C. examination by obtaining not less than 50% marks.

Annex. A. 4 (page 40) would show that the present applicant has secured 61 marks in Marathi as a second language paper. It thus appears that the present insistence of the of the res. no. 1 of passing of higher standard

examination as sworn in the affidavit in reply holds no water in view of the amendment detailed supra.

6. In view of above circumstances, the res. no. 1 is directed to take into consideration all above facts and to take a fresh decision within a period of 4 weeks from today and shall file report regarding the same on the next date.

In case for any other reason, the res. no. 1 is unable to take a fresh decision, then a short affidavit explaining the reasons therefor be filed on the next date.

7. S.O. to 26.4.2018 for compliance of this order.

8. Steno copy / Hamdast allowed to the learned P.O. for the respondents.

**VICE CHAIRMAN**



**FARAD CONTINUATION SHEET**

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

**M.A. No. 58/2018 in O.A. St. No. 208/2018  
(Shri Nivrutti B. Rajput V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

2. This is an application filed by the applicant for condonation of delay in filing the accompanying O.A. St. No. 208/2018. On perusal of contents in the O.A., it reveals that the applicant is claiming limited relief to direct the respondent No. 1 to decide his application/representation dated 24.03.2017 in which he has prayed to grant him salary of the period of suspensions by regularizing the same. The respondent No. 1 has not decided the said application/representation in reasonable time and therefore, the applicant approached this Tribunal by filing the present O.A.

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M.A. 58/2018 in  
O.A. St. 208/2018

3. Considering the relief claimed by the applicant, it seems that there is no delay in filing the O.A. and therefore, the M.A. is to be allowed. However, the applicant has claimed to condone the delay, if any caused in filing the O.A.

4. In these circumstances, M.A. deserves to be allowed. Hence, M.A. is allowed and delay caused for filing the O.A. is condoned. Registry to register the O.A. after due scrutiny.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

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

**O.A. St. No. 208/2018  
(Shri Nivrutti B. Rajput V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

2. The applicant has filed the present Original Application claiming limited relief to direct the respondent No. 1 to decide the application/representation dated 24.03.2017 for regularization of his suspension period and to extend financial benefits to him during that period. The application /representation is pending with the respondent No. 1 since 24.03.2017 and the respondent No. 1 had not decided the said application within a reasonable time. Therefore, the O.A. deserves to be allowed with a direction to the respondent no. 1 to decide the application/representation dated 24.03.2017 as per rules on merit within a period of three months from the date of this order.

3. Accordingly, the O.A. is allowed with a direction to the respondent No. 1 to decide the application/representation dated 24.03.2017 within a period of three months from the date of this order and communicate the decision therein to the applicant in writing. There shall be no order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 71/2017**

**(Shri Mahadeo G. Kandalgaoonkar & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Shri V.G. Pingle, 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 23.04.2018.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

**FARAD CONTINUATION SHEET**

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

**M.A. No. 87/2018 in O.A. St. No. 142/2018  
(Shri Vishvas S. Thore V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Shri K.C. Sonone, learned Advocate holding  
for Shri R.P. Bhumkar, 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 23.04.2018.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 387/2016  
(Dr. Nomani M. Mufti V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned Advocate holding for Smt. Vinaya Mule-Dharurkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 12.04.2018 for filing rejoinder affidavit.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 424/2017  
(Shri Sheshrao R. Kharate V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

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

3. S.O. to 13.04.2018.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018



**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 751/2017  
(Shri Deepak K. Budhwant V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Shri U.B. Shriram, learned Advocate holding for Shri D.B. Bagul, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. S.O. to 09.04.2018.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 91/2018  
(Shri Bhaskar J. Chauke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks time to take instructions from the applicant as to whether he is ready to withdraw the present O.A. Time granted.

3. S.O. to 26.03.2018.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

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

**ORIGINAL APPLICATION NO. 152/2018  
(Shri Sarjerao K. SabhadindeV/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

2. Issue notices to the respondents in, returnable on 23.04.2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 23.04.2018.
8. Steno copy/hamdast allowed to the both the sides.

**MEMBER (J)**

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 88/2018**

**(Shri Amit A. Chaudhari V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks time to place on record documents. Time granted.

3. S.O. to 26.03.2018.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 151/2017  
(Shri Nagorao H. Faliwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : B. P. PATIL, MEMBER (J).**

**DATE : 16.03.2018.**

**ORAL ORDER :**

Heard Shri S.B. Bhosle, learned Advocate holding for Shri S.P. Brahme, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the learned Presenting Officer.

3. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 24.04.2018.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

**FARAD CONTINUATION SHEET**

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**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 Presenting Officer, S.O. to 02.04.2018. Interim relief granted earlier to continue till then.

**MEMBER (J)**

KPB ORAL ORDER 16-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 354/2017  
(Shri Devendra T. Katke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, 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 06.04.2018.

**MEMBER (J)**

KPB ORAL ORDER 17-03-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 707/2017  
(Shri Yusuf U. Sukede V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 26.03.2018.

**MEMBER (J)**

KPB ORAL ORDER 17-03-2018



**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 17/2018  
(Shri Raghunath V. Jagtap V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 to 3 and Ms. Preeti R. Wankhade, learned Advocate for the respondent No. 4.

2. Presenting Officer for respondent Nos. 1 to 3 as well as learned Advocate for respondent No. 4 seeks time to file affidavit in reply. Time granted.

3. S.O. to 20.04.2018.

**MEMBER (J)**

KPB ORAL ORDER 17-03-2018

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

**O.A. Nos.623, 624, 634 of 2017.**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri R. D. Khadap learned Advocate holding for Shri S. S. Thombre, learned Advocate for the applicants in all the matters and Smt P. R. Bharaswadkar, learned Presenting Officer for respondents in all the matters.

2. Learned P.O. files reply on behalf of respondents no.1 & 3 in OA Nos.623 and on behalf of respondents no.1 & 2 in OA Nos. 624 and 634 of 2017. The same are accepted. Copies are served on the other side.

3. Learned Advocate for the applicant seeks leave to amend OA No.623/2017 in view of some recent developments. Liberty to incorporate only recent developments by way of amendment is hereby granted. The said amendment be carried

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within a period of one week. The OA No. 135/2018 which is filed recently be tagged with these OAs.

4. S.O. to 17.4.2018.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No. 135/2018.**

**(Smt Punam Mhetre V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 17.4.2018.

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. Learned P.O. submits that, interim relief granted in OA Nos. 623 & 624 of 2017 vide order dated 31.8.2017 will have to be revoked, in view of the facts those are clarified in the reply. In the circumstances, S.O. to 17.4.2018 for filing reply and also for revocation / continuation of the Ex-parte interim relief granted earlier. In view of the said fact, in present O.A. No.135/2018 interim relief is hereby granted, which runs as under :-**

**“D. Pending the hearing and final disposal of this Original Application, the respondents may kindly be restrained from filling up the posts on which the Applicant is selected and for that purpose issue necessary orders.”**

8. S.O. to 17.4.2018.

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

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No.31/2018.  
(Shri D. N. Trimukhe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. At the request of the learned P.O., S.O. to 20.3.2018.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No. 799/2017.**

**(Shri M. S. Vishwasu V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

1. Heard Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for respondents.
  
2. Learned Advocate for the applicant seeks time to file affidavit in rejoinder. Time to file rejoinder is hereby granted.
  
3. S.O. to 18.4.2018.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018



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

**O.A. No. 937/2017.**

**(Shri S. B. Jadhav & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri S. P. Dhobale, learned Advocate  
for the applicants and Shri M. S. Mahajan,  
learned Presenting Officer for respondents.

2. Learned C.P.O. seeks time to file affidavit in  
reply. Time granted.

3. S.O. to 19.4.2018.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No.18/2018.  
(Dr. B. R. Pandve V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri J. S. Deshmukh, learned Advocate for the applicant, Shri M. S. Mahajan, learned Presenting Officer for respondents no.1 to 3 and Smt. Usha Kale learned Advocate for the respondent no.4.

2. Learned C.P.O. and Learned Advocate for the respondent no.4 seek time to file affidavit in reply. Time granted as a last chance.

3. S.O. to 2.4.2018.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No. 25/2018.**  
(Shri S. R. Salve V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri S. D. Dhongde, learned Advocate for the applicant, Smt S. K. Ghate Deshmukh, learned Presenting Officer for respondents no.1 to 3 and Shri S. B. Bhosale learned Advocate for the respondents no.4 & 5.

2. Learned P.O. and learned Advocate for the respondents no.4 & 5 seek time to file reply. At their request, S.O. to 18.4.2018.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No. 90/2018.**  
**(Smt Jyoti R. Chavan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri S. R. Zambre learned Advocate  
holding for Shri S. D. Borkute, learned Advocate  
for the applicant and Shri M. S. Mahajan,  
learned chief Presenting Officer for respondents.

2. Learned C.P.O. seeks time to file affidavit in  
reply. Time granted.

3. S.O. to 10.4.2018.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**M.A. No. 214/2017 IN oa No.150/2017.  
(Shri B. P. Mane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri K. B. Jadhav learned Advocate holding for Shri S. S. Dambe, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for respondents no.1 to 3. None present for the respondent no.4.

2. Learned P.O. submits that, in fact the issue in the present O.A. is resolved and appointment order is already issued to the present applicant.

3. Learned Advocate for the applicant seeks time to take instructions in this regard from the applicant. At his request, S.O. to 1.9.3.2018 for making submissions on the above line.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No. 41/2014.**

**(Shri S. N. Bargaje V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri B. U. Gunjal, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for respondents.

2. The affidavit in reply for the respondent no.2 and more particularly para no.3 show that, respondent no.2 Shri R. R. Mahajan has accepted that mistake was committed in placing the present applicant in the seniority list at wrong place and submitted that necessary corrections would be made in the said seniority list.

3. In the circumstances, the respondent no.2 is directed to take corrective steps according to law after considering all the facts and learned P.O. would file the copy of decision along with the report on the next date.

4. S.O. to 19.4.2018 for compliance.

5. Learned P.O. is directed to act on the steno copy of this order.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No.531/2014.**

**(Shri P. P. Sant & ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

None present for the applicants. Shri M. P.  
Gude, learned Presenting Officer for respondents  
is present.

2. It appears that, decision by the Division  
Bench would be required in the matter. In the  
circumstances, remove from the board. Be  
placed before the Division Bench as and when  
available.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No. 437/2015.**

**(Shri N. G. Shegadewar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Shri Zambre learned Advocate holding for  
Shri N. B. Narwade learned Advocate for the  
applicant and Smt R. S. Deshmukh, learned  
Presenting Officer for respondents is present.

2. Upon hearing it appears that, decision by  
the Division Bench would be required in the  
matter. In the circumstances, remove from the  
board. Be placed before the Division Bench as  
and when available.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018



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

**O.A. No.20/2018.**  
**(Shri R. D. Dandge V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. Learned P.O. filed on record short affidavit.  
The same is accepted. It appears that, in the  
order dated 24.1.2018 a wrong statement is  
made that the present applicant is Bachelor of  
Arts with Marathi, Economics and Statistics,  
while he in fact is Bachelor of Arts with Marathi,  
Economics and Sociology.

3. The recruitment rules marked as document  
"X" and more particularly Rule 5 (1) (b) runs as  
under:-

"possess a Bachelor's degree in second  
class with Mathematics, Economics,  
Commerce, Biometry or Statistics."

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4. In the circumstances, the Tribunal would have to interpret the meaning of the said condition to find out as to whether the candidate is required to possess a degree of Bachelor of Arts in 2<sup>nd</sup> class with Mathematics and Economics and Commerce and Biometry or Statistics or possess the degree in any one of the above subject. A short affidavit is filed on record.

5. Both the sides seek time to make submissions. At their request, S.O. to 4.4.2018 for making submissions on the above line.

6. Learned P.O. is directed to act on the steno copy of this order.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**O.A. No. 304/2014.**  
**(Shri P. K. Bachkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

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

2. Nobody has appeared on the last date also. The applicant was required to make submissions in reference to the copy of the communication and compilation filed by the learned P.O. on 7.2.2018.

3. In view of the absence of the applicant or his counsel S.O. to 11.4.2018 for making submissions on the line of the order dated 7.2.2018.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**MA NO.12/2018 WITH MA NO.162/16 IN O.A. No.152/2007.  
(Shri V. B. Rathi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri M. M. Bhokrikar, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for respondents.

2. For the reasons stated in the M.A.12/2018 delay of 525 days in filing this application stands condoned. The application is hereby allowed. M.A. No.12/2018 stands disposed of accordingly.

3. M.A.No.162/2016 is taken on board. For the reasons stated in the M.A.No.162/2016 the same is also allowed. The O.A. No.152/2007 is restored to its original stage. M.A.No.162/2016 stands disposed of accordingly.

**VICE CHAIRMAN**

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

**O.A. No.152/2007.**

**(Shri V. B. Rathi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 16.03.2018**

**ORAL ORDER :**

Heard Shri M. M. Bhokrikar, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant attracts the attention of this Tribunal to the decision of the Division Bench in W.P.No.7454/2015 dated 10.8.2015 and more particularly para no.3.

3. The facts of the case would show that, applicant was reverted after due inquiry which is challenged in the O.A. Later on in another D.E. he was terminated from the services. Therefore, under the impression the present O.A. has become infructuous, this Tribunal has disposed of said O. A. as infructuous on 21.02.2017.

//2//

The said order was challenged in the above writ petition. The Hon'ble High Court has held that the order is unsustainable. It was held that the Tribunal either could have given liberty to the applicant to assail of order of reversion or to have kept the O.A. pending till the decision is made in administrative appeal where the termination order is challenged.

4. The learned Advocate for the applicant further make submission that in fact administrative appeal against the order of termination is at final stage as oral submissions have already made before the competent authority and decision is expected soon.

5. In view of the above facts the O.A. be kept on 17.4.2018 awaiting the decision as detailed supra.

**VICE CHAIRMAN**

atp ORAL ORDERS 16-03-2018

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

**M.A.NO. 60/2017 IN O.A.ST.NO.184/2017**

[Shri Sheshrao S. Bhalerao Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate holding for Shri P.G. Rodge, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 2 & 3 to the amended M.A. and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. S.O. to 24<sup>th</sup> April, 2018.

**MEMBER (J)**

ORAL ORDERS 16.03.2018-HDD

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

**M.A.NO. 357/2017 IN O.A.ST.NO.1239/2017**

[Shri Prabhu R. Rathod Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

2. S.O. to 24<sup>th</sup> April, 2018.

**MEMBER (J)**

ORAL ORDERS 16.03.2018-HDD



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

**M.A.NO. 465/2017 IN O.A.ST.NO.1468/2017**

[Smt. Adhinta S. Bharaskar Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Shri Rahul B. Temak, learned Advocate for the applicant has filed leave note. Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O.to 25<sup>th</sup> April, 2018.

**MEMBER (J)**

ORAL ORDERS 16.03.2018-HDD

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

**ORIGINAL APPLICATION NO. 322 OF 2017**

[Shri Rajesh P. Deshmukh Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Heard Shri S.D. Joshi, 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 20<sup>th</sup> March, 2018.

**MEMBER (J)**

ORAL ORDERS 16.03.2018-HDD

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

**ORIGINAL APPLICATION NO. 395 OF 2017**

[Smt. Shobha R. Pathak Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant, Mrs. Priya R. Bharaswadkar, learned Presenting Officer for respondent No. 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 & 3.

2. At the request of learned Presenting Officer, S.O. to 2<sup>nd</sup> April, 2018.

**MEMBER (J)**

ORAL ORDERS 16.03.2018-HDD

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

**ORIGINAL APPLICATION NO. 328 OF 2016**

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

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

Heard Shri G.J. Kore, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents seeks time to take instructions from the concerned authorities as to whether they are going to consider the case of the applicant under Rule 57 of the Maharashtra Civil Services (Pension) Rules, 1982. Time granted.

3. S.O. to 27<sup>th</sup> March, 2018.

**MEMBER (J)**

ORAL ORDERS 16.03.2018-HDD

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

**ORIGINAL APPLICATION NO. 141 OF 2017**

[Smt. Vijaya R. Jetty Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 16.03.2018.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has submitted that the applicant has moved an application/representation dated 24.11.2014 to the respondent No. 3 i.e. the Joint Director Higher Education, Aurangabad Region, Aurangabad, for grant of deemed date in view of the directions given by this Tribunal in O.A. No. 1097/2014 decided on 17.11.2014. He has submitted that inspite of filing the representation, respondent No. 3 has not taken decision on the said representation and not considered his request to grant deemed date as prayed for by the applicant. He has submitted that the applicant has filed the present O.A. with a prayer to direct the respondents to decide his representation dated 24.11.2014 filed by the applicant and to grant deemed date of promotion on the post of Jr. Clerk in the Class-III cadre. He has submitted that as the claim of the applicant is limited, it is just to direct the respondents and to dispose of the O.A. accordingly.

**O.A. NO. 141 OF 2017**

3. Learned Presenting Officer for the respondents has submitted that the respondent No. 3 has not decided the representation dated 24.11.2014 filed by the applicant till today. He has further submitted that if the directions are given to the respondents then they will decide the representation within a reasonable time and, therefore, he prayed to direct the respondents accordingly and dispose of the present O.A.

4. In view of the submissions made on behalf of the applicant and considering the prayer clause (c) claimed by the applicant, it is just and proper to direct the respondent No. 3 to decide the representation of the applicant dated 24.11.2014 within a period of one month from the date of this order.

5. Accordingly, the present Original Application is disposed of with a direction to respondent No. 3 to decide the representation of the applicant dated 24.11.2014 within a period of one month from the date of this order and communicate the decision thereon to the applicant in writing.

There shall be no order as to costs.

**MEMBER (J)**