

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

**ORIGINAL APPLICATION NO. 102/2018
(Lakshmi P. Dakewad 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 : 14.03.2018

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate
for the applicant and Smt. Priya Bharaswadkar,
learned Presenting Officer for respondents.

2. Upon hearing both the sides, it appears
that affidavit in reply of the respondents is
necessary in the present matter. The learned
P.O. seeks time to file affidavit in reply. At her
request S.O. to 10.4.2018 for filing reply.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 514/2015
(Dr. Balaji S. Barure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018

ORAL ORDER :

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

2. The learned Advocate files on record copies of decisions in O.A. no. 517/2013 dtd. 10.12.2014, W.P. nos. 11611/2015 dtd. 23.3.2016 & 799/2016 dtd. 4.12.2017 and the same are taken on record and marked as document 'X' collectively. He further points towards the observations made in W.P. no. 799/2016 and more particularly in para 3 therein Hon'ble High Court observed that the State which had challenged the judgment of the Tribunal ultimately withdrawn the writ petition and the Government Resolution is issued giving them benefit as was directed by the Tribunal. In the circumstances, it appears that the issue involved in the present matter is same as that was involved in the above quoted decision including the decision of the Tribunal in group of O.A. nos. 513/2013 & Ors. (Annex. A.4).

3. In that view of the matter, the concerned respondents are directed to take corrective steps

by taking a similar decision regarding grant of annual increments, earned leave ignoring technical breaks of the applicant and the report regarding corrective steps shall be filed on 19.4.2018.

In case the concerned respondents come to the conclusion that for any other reasons corrective steps cannot be taken, then short affidavit explaining the reasons therefore be filed on the next date. In the circumstances, S.O. to 19.4.2018 for submitting report regarding corrective steps / filing short affidavit explaining the reasons.

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

VICE CHAIRMAN

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

**M.A. 426/2017 M.A. NO. 64/2016 IN O.A. ST. 1991/2015
(Appa D. Chikte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents in M.A. no. 426/2017, returnable on 12.4.2018.

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 M.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the 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 12.4.2018.

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

VICE CHAIRMAN

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

**M.A. NO. 84/2018 IN O.A. 113/2012
(Bhagwat T. Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018

ORAL ORDER :

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

2. Perusal of the order dtd. 1.3.2018 passed by the Tribunal in the O.A. would show that the learned P.O. on that day made a statement that O.A. has become infructuous. In the circumstances, in view of absence of applicant and his learned Advocate S.O. to 27.3.2018 for making submissions on the line of above order.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NOS. 535 & 575/2013
(Shubhangi A. Shejul & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018

ORAL ORDER :

Heard Shri P.G. Tambde, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicants in both the matters and Shri N.U. Yadav, learned Presenting Officer for respondents in both the matters.

2. The learned Advocate seeks time to file rejoinder. The present O.As. are admitted in the year 2015 and now are adjourned again and again for the same reasons. The learned P.O. submits that the interim relief is granted in the present O.As. In the circumstances, without awaiting rejoinder of the applicants S.O. to 18.4.23018 for final hearing. Rejoinder, if any, be filed in the office before the next date and copy thereof be supplied to other side.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 347 & 802/2015
(Dipak D. Edke & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018

ORAL ORDER :

Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents in both the matters.

2. The learned C.P.O. submits that costs is already deposited and decision is taken. He files on record copies of the decision in both the matters. It is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned Advocate for the applicant. In the circumstances, S.O. to 10.4.2018 for final hearing in both the matters.

VICE CHAIRMAN

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 425/2017

(Shri Prasad F. Pawar & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Dr. Swapnil Tawshikar, learned Advocate for the applicant and Shri V.R. Bhumkar, 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 for the respondents.

3. S.O. to 17.04.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 577/2016
(Dr. Baban L. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 3. Shri H.P. Jadhav, learned Advocate for respondent No. 4, **absent**.

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

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 194/2016
(Shri Ramesh M. Jakatdar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri V.G. Pingle, 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 19.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 565/2016

(Shri Ashok R. Kotwal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri V.G. Pingle, 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 19.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 923/2016

(Shri Ashok R. Kotwal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri V.G. Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 19.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

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

**M.A. No. 50/2018 in O.A. No. 240/2016
(Shri Ramkisan B. Khajekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Issue notices to the respondents in M.A., returnable on 18.04.2018.

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 18.04.2018.

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. 174/2017

(Dr. Madhav F. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that he will file affidavit in reply on behalf of respondent Nos. 1, 2 & 4 during the course of the day.

3. S.O. to 13.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 213/2017
(Shri Kaniram M. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri D.T. Devane, learned Advocate for the applicant and Smt. Resha S. Deshmukh, 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. S.O. to 16.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 223/2017
(Shri Vinayak U. Banchod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri S.S. Jadhavar, learned Advocate for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 12.04.2018 for passing necessary orders.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 277/2017
(Shri Shaikh Md. Kareem V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri S.S. Jadhavar, learned Advocate for the applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents, present.

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

3. S.O. to 12.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 508/2017
(Shri Sd. Azam Sd Lal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Smt. A.N. Ansari, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 16.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 589/2017

(Shri Kailas P. Wavhal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 05.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

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 : 14.03.2018.

ORAL ORDER :

Shri G.N. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 2. Time granted as a last chance.

3. S.O. to 12.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 741/2017

(Smt. Anita G. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri Joslyn A. Menezes, learned Advocate holding for Shri R.B. Narwade Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted as a last chance.

3. S.O. to 13.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

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 : 14.03.2018.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the applicant Advocate for the applicant, S.O. to 02.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATIN NO. 935/2017
(Shri Sandu R. Magar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Issue fresh notices to the respondents, returnable on 19.04.2018.

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 19.04.2018.

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

MEMBER (J)

FARAD CONTINUATION SHEET

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

**M.A. NO. 03/2018 in O.A. St. NO. 06/2018
(Shri Ashok R. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate Shri S.P. Dhoble, has submitted that he is under instructions from the respondent No. 4 to appear on his behalf.

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

4. S.O. to 19.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION ST. NO. 121/2018
(Smt. Kalpana D. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant is going to file application for condonation of delay.

3. S.O. to 10.04.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

FARAD CONTINUATION SHEET

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

**M.A. No. 70/2018 in O.A. St. No. 305/2018
(Shri Snil B. Sangewar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Learned Chief Presenting Officer has submitted that out of 30 applicants, 20 applicants have already filed O.A. bearing O.A. No. 840/2015 in this Tribunal claiming same relief and the said O.A. was allowed on 13.04.2016. He has submitted that the said order has been challenged by the respondents before the Hon'ble High Court of Judicature of Bombay Bench at Aurangabad by filing W.P. and the same is pending. He has submitted that the interim relief claimed by the respondents has been granted in the said W.P. and the learned Advocate Shri P.V. Suryawanshi, who is

appearing for the respondents in that matter. He has submitted that the applicants have suppressed all these material facts and therefore, he prayed to reject the O.A. on that ground itself.

3. At this stage, the learned Advocate for the applicants has submitted that he is intending to amend the O.A. and therefore, he seeks short time. Time granted.

4. S.O. to 10.04.2018.

MEMBER (J)

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 699/2017

(Smt. Sunita S. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Presenting Officer has submitted that the affidavit in reply on behalf of respondent Nos. 1 to 4 was ready and sworn in on 23.01.2018, but thereafter, the file of present matter has been misplaced in her office and therefore, he is unable to file written statement on previous date i.e. on 16.02.2018. She has submitted that on last date i.e. on 16.02.2018 this Tribunal had imposed costs of Rs. 5000/- on the respondents for not filing the affidavit in reply in time. She has submitted that inadvertently the affidavit in reply which was sworn in by the respondents on 23.01.2018 could not have been filed on record on the previous date and

therefore, she tendered unconditional apology and prayed to revoke or recall the order dated 16.02.2018 passed by this Tribunal imposing costs on the respondents.

3. Considering the submissions advanced by the learned Presenting Officer and the date on which the affidavit in reply has been sworn in by the respondents, in the interest of justice, the order dated 16.02.2018 imposing costs on the respondents is hereby recalled.

4. 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.

5. S.O. to 10.04.2018.

MEMBER (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 883/2017
(Shri Datta R. Munde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Today, the learned Presenting Officer has placed on record a copy of communication dated 20.02.2018, by which he has informed the respondents about today's date for filing affidavit in reply. He has submitted that nobody from the office of respondents approached and therefore, he could not able to file affidavit in reply and therefore, he prayed to grant two weeks time for filing affidavit in reply on behalf of respondents.

3. It transpires from the proceedings that the ample opportunities were given to the respondents for filing affidavit in reply. A last chance was granted to the respondent for filing affidavit in reply, but they have failed to file

affidavit in reply. There is no just ground to grant further time for filing affidavit in reply. However, in the interest of justice, time is granted to the respondents for filing affidavit in reply, subject to payment of Costs of Rs. 5000/- (Five Thousand only). The amount of costs be deposited in the Registry of this Tribunal.

3. S.O. to 28.03.2018.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

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

**M.A. 05/2018 with M.A. St. 11/2018 with M.A. St. 1572/2017 in
O.A. No. 943/2016**

(Shri Uttam L. Bahirwad (LRs) & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicants has submitted that the applicants have filed separate applications for condonation of delay and setting aside the abetment, therefore, they do not want to proceed with the M.A. St. No. 1572/2017 and prayed to withdraw the same accordingly.

3. In view of the submissions made by the learned Advocate for the applicant, the M.A. St. No. 1572/2017 stands disposed of as withdrawn.

4. Issue notices to the respondents in M.A. No. 05/2018, returnable on 20.04.2018.

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

6. 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

//2// M.A. 05/2018 with M.A.
St. 11/2018 with M.A. St.
1572/2017 in O.A. 943/2016

are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. 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.

8. 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.

9. S.O. to 20.04.2018.

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

MEMBER (J)

KPB ORAL ORDER 14-03-2018

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

**M.A. 81/2018 in O.A. St. No. 324/2018
(Shri Shivaji m. Panzade & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the Misc. Application and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamp, if not paid, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

MEMBER (J)

KPB ORAL ORDER 14-03-2018

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

**O.A. St. No. 324/2018
(Shri Shivaji m. Panzade & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the similarly situated persons filed O.A. Nos. 131/2018 & 132/2018 before this Tribunal challenging the letters dated 01.02.2018 and 05.02.2018 and the Hon'ble Vice Chairman of this Tribunal has passed the order therein on 28.02.2018 directing the respondents to file affidavit in reply on certain points and granted stay to the impugned letters. In those matters this Tribunal has granted interim relief in favour of the applicants and restrained the respondents from taking further action on the basis of the letters dated 01.02.2018 and 05.02.2018. Therefore, he prayed to grant interim relief as prayed for the applicant.

3. Learned Chief Presenting Officer has submitted that no adverse action has been taken by the respondents till today and therefore, no question to grant interim relief as prayed for by the applicants arises.

4. I have gone through the documents on record and it reveals that the order passed by the Hon'ble Vice Chairman of this Tribunal in O.A. Nos. 131/2018 & 132/2018 wherein the respondents were directed to explain certain points by filing affidavit in reply. The Tribunal has stayed the effect and operation of the impugned communication dated 01.02.2018 and restrained the respondents from taking any adverse action against the applicants in view of the order dated 05.02.2018.

5. In these circumstances, it is just and proper to restrain the respondents from taking any adverse action against the applicant in view of the communications dated 01.02.2018 and 05.02.2018, till filing of the affidavit in reply by the respondents.

6. Issue notices to the respondents, returnable on 19.04.2018.

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

8. 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.

9. 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.

10. 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.

11. S.O. to 19.04.2018.

12. 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. 754/2017
(Shri Anil G. Tornekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. The applicant has filed the present Original Application and claimed limited relief to direct the respondent Nos. 2 and 3 to decide his representation dated 18.05.2016.

3. Learned Advocate for the applicant has submitted that the representation of the applicant dated 18.05.2016 has been forwarded by the respondent No. 3 to the respondent No. 2 along with his proposal, but the respondent No. 2 has not taken decision therein and therefore, he prayed to allow the present Original Application and direct the respondent Nos. 2 and 3 to decide the representation dated 18.05.2016, as well as, proposal of the respondent No. 3 dated 15.02.2017.

4. Learned Presenting Officer has submitted that the representation of the applicant dated 18.05.2016 and the proposal dated 15.02.2017 submitted by the respondent No. 3 are pending with the respondent No. 2. He has submitted that the respondents will take decision on the said proposal and representation as per rules within a period of six weeks and therefore, he prayed to dispose of the present O.A. accordingly.

5. In view of the submissions advanced by the learned Advocate for the applicant and the learned Presenting Officer, the O.A. stands disposed of with a direction to the respondent No. 2 to decide the representation of the applicant dated 18.05.2016 which was forwarded by the respondent No. 3 along with his proposal dated 15.02.2017 within a period of six weeks from the date of this order and communicate its decision to the applicant in writing. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 755/2017
(Shri Mohammad A. Sami V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. The applicant has filed the present Original Application and claimed limited relief to direct the respondent Nos. 2 and 3 to decide his representation dated 18.05.2016.

3. Learned Advocate for the applicant has submitted that the representation of the applicant dated 18.05.2016 has been forwarded by the respondent No. 3 to the respondent No. 2 along with his proposal, but the respondent No. 2 has not taken decision therein and therefore, he prayed to allow the present Original Application and direct the respondent Nos. 2 and 3 to decide the representation dated 18.05.2016, as well as, proposal of the respondent No. 3 dated 15.02.2017.

4. Learned Presenting Officer has submitted that the representation of the applicant dated 18.05.2016 and the proposal dated 15.02.2017 submitted by the respondent No. 3 are pending with the respondent No. 2. She has submitted that the respondents will take decision on the said proposal and representation as per rules within a period of six weeks and therefore, she prayed to dispose of the present O.A. accordingly.

5. In view of the submissions advanced by the learned Advocate for the applicant and the learned Presenting Officer, the O.A. stands disposed of with a direction to the respondent No. 2 to decide the representation of the applicant dated 18.05.2016 which was forwarded by the respondent No. 3 along with his proposal dated 15.02.2017 within a period of six weeks from the date of this order and communicate its decision to the applicant in writing. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 756/2017
(Shri Sunil M. Bandawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. The applicant has filed the present Original Application and claimed limited relief to direct the respondent Nos. 2 and 3 to decide his representation dated 18.05.2016.

3. Learned Advocate for the applicant has submitted that the representation of the applicant dated 18.05.2016 has been forwarded by the respondent No. 3 to the respondent No. 2 along with his proposal, but the respondent No. 2 has not taken decision therein and therefore, he prayed to allow the present Original Application and direct the respondent Nos. 2 and 3 to decide the representation dated 18.05.2016, as well as, proposal of the respondent No. 3 dated 15.02.2017.

4. Learned Presenting Officer has submitted that the representation of the applicant dated 18.05.2016 and the proposal dated 15.02.2017 submitted by the respondent No. 3 are pending with the respondent No. 2. He has submitted that the respondents will take decision on the said proposal and representation as per rules within a period of six weeks and therefore, he prayed to dispose of the present O.A. accordingly.

5. In view of the submissions advanced by the learned Advocate for the applicant and the learned Presenting Officer, the O.A. stands disposed of with a direction to the respondent No. 2 to decide the representation of the applicant dated 18.05.2016 which was forwarded by the respondent No. 3 along with his proposal dated 15.02.2017 within a period of six weeks from the date of this order and communicate its decision to the applicant in writing. There shall be no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATIN NO. 757/2017
(Shri Haseeb Ur. Rehman Khan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. The applicant has filed the present Original Application and claimed limited relief to direct the respondent Nos. 2 and 3 to decide his representation dated 19.12.2016.

3. Learned Advocate for the applicant has submitted that the representation of the applicant dated 19.12.2016 has been forwarded by the respondent No. 3 to the respondent No. 2 along with his proposal, but the respondent No. 2 has not taken decision therein and therefore, he prayed to allow the present Original Application and direct the respondent Nos. 2 and 3 to decide the representation dated 19.12.2016, as well as, proposal of the respondent No. 3 dated 15.02.2017.

4. Learned Presenting Officer has submitted that the representation of the applicant dated 19.12.2016 and the proposal dated 15.02.2017 submitted by the respondent No. 3 are pending with the respondent No. 2. He has submitted that the respondents will take decision on the said proposal and representation as per rules within a period of six weeks and therefore, he prayed to dispose of the present O.A. accordingly.

5. In view of the submissions advanced by the learned Advocate for the applicant and the learned Presenting Officer, the O.A. stands disposed of with a direction to the respondent No. 2 to decide the representation of the applicant dated 19.12.2016 which was forwarded by the respondent No. 3 along with his proposal dated 15.02.2017 within a period of six weeks from the date of this order and communicate its decision to the applicant in writing. There shall be no order as to costs.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 33 OF 2017

[Shri Bharat L. Kharat Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant has filed leave note. Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1, present. Shri O.D. Mane, learned Advocate for respondent Nos. 2 & 3 (**absent**).

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 18th April, 2018.

MEMBER (J)

ORAL ORDERS 14.03.2018-HDD

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

ORIGINAL APPLICATION NO. 147 OF 2017

[Shri Ajitkumar R. Saswade Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant has filed leave note. Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 18th April, 2018.

MEMBER (J)

ORAL ORDERS 14.03.2018-HDD

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

ORIGINAL APPLICATION NO. 789 OF 2016

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent No. 1, present. Shri V.B. Wagh, learned Advocate for respondent No. 2 has filed leave note.

2. S.O. to 10th April, 2018.

MEMBER (J)

ORAL ORDERS 14.03.2018-HDD

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

ORIGINAL APPLICATION NO. 766 OF 2016

[Shri Rambhau T. Jadhav Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the the respondents, present.

2. In view of absence of learned Advocate for the applicant, S.O. to 5th April, 2018.

MEMBER (J)

ORAL ORDERS 14.03.2018-HDD

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

ORIGINAL APPLICATION NO. 951 OF 2017

[Smt. Ram Subamma Channa Reddy Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent No. 4 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 21st March, 2018.

MEMBER (J)

ORAL ORDERS 14.03.2018-HDD

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

**ORIGINAL APPLICATION NO. 72/2018
(Anant J. Hange 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 : 14.03.2018

ORAL ORDER :

Heard Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant files on record a copy of communication dtd. 7.12.2017, which would show that without adverting to the fact as to whether a candidate from reserved category has availed any concession towards fees, age limit etc, he can be considered for appointment in Open category. The said communication is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned P.O.

3. In view of above fact, issue notices to the respondents in the present O.A., returnable on 12.4.2018.

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 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.

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 12.4.2018.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 133/2018
(Uttam S. Varpade 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 : 14.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 7.4.2018.
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 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 7.4.2018.
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. 138/2018
(Tushar B. Chikhale 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 : 14.03.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 24.4.2018.

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 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 24.4.2018.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NOS. 825, 864, 865, 866 & 867/2016
(Prakash G. Gaikwad & Ors. 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 : 14.03.2018

ORAL ORDER :

Heard Shri V.B. Jogdand Patil, learned Advocate for the applicants in all these matters and Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities in all these matters. None appears for respondent no. 5 in O.A. nos. 865, 866 & 867/2016.

2. The learned Advocate for the applicants seeks time for filing additional documents on record and for elaborating the issue as per the order dtd. 7.2.2018. At his request, S.O. to 12.4.2018 for the above compliance from the side of applicants.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 858/2016
(Sunil L. Jadhav & Ors. 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 : 14.03.2018

ORAL ORDER :

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

2. The learned P.O. adverted the attention of the Tribunal to the order dtd. 9.11.2017 where under interim stay granted to the further proceedings in the departmental enquiry is vacated by the Tribunal. In the circumstances, he seeks time to take instructions regarding the current progress in the departmental enquiry initiated against the applicant. At his request, S.O. to 25.4.2018 for taking instructions on the above line.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NOS. 113 & 114/2017
(Maharashtra Sarva Shramik Sangathana A'bad through its General Secretary
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 : 14.03.2018

ORAL ORDER :

Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants in both the matters and Shri S.K. Shirse, learned Presenting Officer for respondents in both the matters.

2. At the request of learned Advocate for the applicants, S.O. to 28.3.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 153/2017
(Dr. Ramnath B. Hemke 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 : 14.03.2018

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 to 3 and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent nos. 4 & 5.

2. Arguable case is made out. Hence, the present O.A. is admitted. The respective Counsel waive service of notice of admission upon the respective respondents.

3. The O.A. is removed from the board for time being and it be placed for hearing before the Division Bench as and when it is available.

VICE CHAIRMAN

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 346/2017
(Balaji B. Latpate & Ors. 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 : 14.03.2018

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that the present applicant is wrongly relying on the Circular dtd. 21.2.2014, wherein some directions are issued by the State Government to the Director General of Police etc. regarding the conditions to be applied for departmental examinations. In fact, in the present case the res. no. 2 held the departmental examination under notification dtd. 30.1.2014 and, therefore, prima-facie, the Circular dtd. 21.2.2014, which came in existence later on, cannot be applied in the present case.

3. In the circumstances, the learned Advocate for the applicant seeks time to take instructions regarding earlier Circulars, if any, and the conditions laid-down therein and to file copies thereof on record. At his request, S.O. to 4.4.2018 for filing additional documents, if any, on the above line.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 339/2017
(Ravsahab A. Kakad & Ors. 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 : 14.03.2018

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2. None appears for other respondents.

2. While the learned Advocate for the applicant submits that there are no instructions regarding the Special Leave Petition, the learned P.O. points towards successive orders dtd. 29.1.2018 & 6.2.2018 of the Tribunal whereunder the learned P.O. made a statement that special Leave Petition has already been dismissed by the Hon'ble Supreme Court. Today, the learned P.O. submits that the said S.L.P. Number is 29857/2017. The learned Advocate for the applicant shall make any positive statement on the next date in view of supplied S.L.P. number. At his request S.O. to 10.4.2018 for making positive statement on the above line.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 427/2017
(Kiran S. Tidke 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 : 14.03.2018

ORAL ORDER :

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of learned P.O. S.O. to 3.4.2018 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 443/2017
(Dr. Uttam B. Jadhav 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 : 14.03.2018

ORAL ORDER :

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

2. The learned P.O. submits that writ petition, reference of which is made in the order dtd. 9.2.2018, is being circulated tomorrow i.e. on 15.3.2018 before the Hon'ble High Court. In the circumstances, S.O. to 20.4.2018 for making further submissions by the learned P.O.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 661/2017
(Shailesh S. Kapse 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 : 14.03.2018

ORAL ORDER :

Heard Shri G.D. Angad, learned Advocate
holding for Shri A.G. Ambetkar, learned Advocate
for the applicant and Smt. Resha S. Deshmukh,
learned Presenting Officer for respondents.

2. At the request of learned P.O. S.O. to
5.4.2018 for filing affidavit in reply of the
respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 786/2017
(Kailash A. Pardeshi 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 : 14.03.2018

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned P.O. has already filed affidavit in reply of the respondents. In the circumstances, with the consent of both the sides, S.O. to 25.4.2018 for hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NOS. 805/2017
(Dr. Vanita N. Puri 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 : 14.03.2018

ORAL ORDER :

Heard Shri Vishnu Dhoble, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 to 3 and Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for respondent no. 4.

2. At the request of learned P.O. for res. nos. 1 to 3 & learned Advocate for res. no. 4 S.O. to 12.4.2018 for filing affidavit in replies of respective respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NOS. 829, 830 & 831/2017
(Dattatraya D. Jaybhay & Ors. 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 : 14.03.2018

ORAL ORDER :

Heard Shri V.D. Godbharle, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents in all these matters.

2. At the request of learned C.P.O. S.O. to 2.4.2018 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 824/2017
(Jeevan B. Sutar 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 : 14.03.2018

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant (**leave note**). Shri D.R. Patil, learned Presenting Officer for respondents, is present.

2. The learned P.O. submits that during the course of the day he would file affidavit in reply of the respondents. It be accepted and copy thereof be supplied to the learned Advocate for the applicant. S.O. to 8.4.2018 for hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 921/2017
(Dr. Atul A. Deshmukh 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 : 14.03.2018

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned Advocate submits that the issue of continuation of interim relief as referred in the order dtd. 10.1.2018 is still pending before the principal seat of this Tribunal at Mumbai, and the said matter is now posted to 20.3.2018. In the circumstances, it appears that this bench is required to decide the issue involved in the present matter independently. In the circumstances, S.O. to 20.3.2018 for hearing on continuation of interim relief on its own merits without awaiting any decision from the principal seat of the Tribunal.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 12/2018
(Khandu T. 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 : 14.03.2018

ORAL ORDER :

Heard Shri A.B. Rajkar, learned Advocate holding for Shri R.R. Kadam, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned P.O. seeks time for filing affidavit in reply. The learned Advocate also seeks time to file printed copy of the application made for the post. At the request of both the sides, S.O. to 17.4.2018 for taking steps.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 939/2017
(Dattatraya S. Bargaje 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 : 14.03.2018

ORAL ORDER :

Heard Smt. Juee Parlekar – 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 P.O. S.O. to 10.4.2018 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 39/2018
(Ravi S. Wankhade 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 : 14.03.2018

ORAL ORDER :

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

2. The learned Advocate seeks time to place on record the concerned papers reference of which is made in the orders dated 1.2.2018 & 27.2.2018. At his request, S.O. to 20.4.2018 for compliance.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**C.P. 14/2018 IN O.A. 893/2011 AND
C.P. 15/2018 IN O.A. 892/2011
(Ramrao D. Misal & Ors. 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 : 14.03.2018

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicants in both the matters and Shri I.S. Thorat, learned Presenting Officer for respondents in both the matters.

2. At the request of learned P.O. as a last chance S.O. to 19.4.2018 for taking instructions from the respondents regarding compliance of order in question.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**M.A.355/2017 IN O.A. 461/2013
(Smt. Varsha V. Paratwagh 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 : 14.03.2018

ORAL ORDER :

Heard Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 to 3 and Ms. Preeti Wankhade, learned Advocate for respondent no. 5. None appears for respondent no. 4.

2. At the request of learned P.O. and learned Advocate for res. no. 5, S.O. to 5.4.2018 for filing affidavit in replies of the respective respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

**ORIGINAL APPLICATION NO. 295/2012
(Dr. Arvind N. Bagate & Ors. 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 : 14.03.2018

ORAL ORDER :

None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondents, is present.

2. Upon hearing learned P.O., it appears that, decision on merit at the hands of Division Bench is required in the present matter. In the circumstances, the present matter is removed from the board for time being and it be placed for final hearing before the Division Bench, as and when it is available.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-03-2018

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

ORIGINAL APPLICATION NO. 959 OF 2017

[Shri Ramrao K. Kulkarni Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.03.2018.

ORAL ORDER :

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

2. The applicant has approached this Tribunal with a request to direct the respondents to make necessary correction in the basic pay fixation of the applicant w.e.f. 1.10.2001 as fixation in the scale of Rs. 7250/- basic instead of Rs. 7200/- and to pay the consequential benefits.

3. Learned Advocate for the applicant has submitted that the applicant had filed O.A. No. 696/2004 in this Tribunal challenging the recovery of excess payment made to him on account of wrong pay fixation of the applicant made by the respondents. He has submitted that in that matter the Tribunal has appointed Court Commissioner to calculate the excess amount of pay to be recovered from the applicant. Accordingly, the Commissioner submitted the report to the Tribunal and decided the O.A. on the basis of the calculations of the pay scale made by the Commissioner. The amount to be

O.A. NO. 959 OF 2017

recovered has been determined and thereafter the final order came to be passed by this Tribunal on 11.6.2008. In that O.A. it has been held that the respondents were not entitled to recover the excess amount paid to the applicant and proposed recovery of the applicant has been set aside and quashed.

4. Learned Advocate for the applicant has submitted that there was mistake on the part of the Commissioner while preparing the report about pay fixation of the applicant as on 1.10.2001 and 1.10.2002. He has submitted that the said mistake has been occurred due to oversight at the hands of the Commissioner. Consequently, the Tribunal passed final order accordingly on the basis of the report of the Commissioner. He has submitted that on the basis of the said report and decision of the Tribunal the respondents had fixed the pay of the applicant and on that basis the pension of the applicant has been determined. He has submitted that it is necessary to make the correction in the pay fixed by the respondents on 1.10.2001 and onwards, in view of the said circumstances. Therefore, the applicant has approached this Tribunal. He has submitted that the present Original Application is maintainable.

5. Learned Presenting Officer for the respondents has submitted that already this

O.A. NO. 959 OF 2017

Tribunal has decided the earlier O.A. long back in the year 2008. She has submitted that in that O.A. the issue regarding the fixation of pay was not involved and issue of recovery of amount of excess payment made to the applicant was involved. Accordingly, this Tribunal decided the said O.A. She has submitted that the applicant has not raised the grievance about the judgment till today and he has not approached to the respondents also for correction of the pay scale if there was any mistake. She has submitted that the applicant is not aggrieved by any order passed by the respondents. Therefore, the present O.A. is not maintainable.

6. I have gone through documents on record. On perusal of the judgment passed in O.A. No. 696/2004, it reveals that the applicant remained absent before the Commissioner, as well as, before the Tribunal when the matter has been decided. In spite of the opportunity given to him he has not appeared and, therefore, the final order came to be passed. No issue of fixation of pay of the applicant was involved in that O.A. The Commissioner was appointed to assist the Tribunal to determine the exact amount to be recovered from the applicant and on considering the report of the Commissioner this Tribunal allowed the O.A. and quashed and set aside the proposed recovery of the excess amount paid to the applicant. There is nothing on record to

O.A. NO. 959 OF 2017

show that pay of the applicant has been fixed on the basis of the said decision by the respondents and thereafter the pension has been fixed on that basis. Prima facie it seems that the applicant is not aggrieved by any order passed by the respondents. In fact, the applicant ought to have been approached the respondents for correction of pay fixed by the respondents, as well as, pension fixed by the respondents, if he has any grievance about it. Presently, the applicant is not aggrieved by any order. Therefore, the present O.A. is not maintainable, in view of provision of Section 19 of the Administrative Tribunals Act, 1985. Hence, the Original Application stands rejected.

MEMBER (J)