ORIGINAL APPLICATION NO. 253 OF 2019 (Shri Laxmikant M. Bhoskar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

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

3. S.O. to 10.01.2020.

ACTING CHAIRMAN

M.A. No. 440/2019 in O.A. St. No. 1823/2019 (Shri Laxman H. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 & 2 in M.A. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 16.01.2020.

KPB ORAL ORDERS 27.11.2019

ORIGINAL APPLICATION NO. 488 OF 2019 (Shri Shaikh Ajamal Shaikh Abdulla V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri Kunal Kale, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 2 and 3. Same is taken on record and copy thereof has been served on the other side. He undertakes to deposit the amount of Costs of Rs. 5000/- in view of the order dated 13.11.2019 on or before 10.12.2019.

3. S.O. to 16.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 451 OF 2019 (Shri Suryakant R. Biradar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Smt. Surekha Biradar, learned Advocate holding for Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 28.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 730 OF 2019 (Shri Ejaz Salim Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the 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 other side.

3. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 27.01.2020.

KPB ORAL ORDERS 04.12.2019

ORIGINAL APPLICATION NO. 868 OF 2019 (Dr. Suryakant R. Lonikar V/`s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

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

3. S.O. to 06.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 916 OF 2019 (Shri Sandeep K. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri A.D. Kaware, learned Advocate holding for Shri S.R. Sapkal, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri K.B. Jadhav, learned Advocate for respondent No. 3.

2. Learned Presenting Officer, as well as, learned Advocate for respondent No. 3 seeks time for filing affidavit in reply. Time granted.

3. S.O. to 27.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 252 OF 2019 (Shri Prakash D. @ M. Khatal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN DATE : 04.12.2019

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 13.12.2019.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 973 OF 2019 (Shri Rajaram Z. Mohite V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate holding for Shri A.D. Gadekar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 and 2. Shri Suvarna Zaware, learned Advocate for respondent No. 3, **absent**.

2. Issue notices to the respondents, returnable on 27.01.2020.

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

4. Applicant is authorized and directed to serve on respondent/s 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 27.01.2020.

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

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 1049 OF 2019 (Shri Pralhad L. Bhaldrao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

2. Issue notices to the respondents, returnable on 28.01.2020.

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

4. Applicant is authorized and directed to serve on respondent/s 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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 28.01.2020.

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

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 1056 OF 2019 (Shri Rajkumar D. Malshetwar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri A.M. Mukhedkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 12.12.2019.

ACTING CHAIRMAN

M.A. No. 586 in M.A. St. No. 2197/2019 In O.A. St. No. 1261/2018 (Shri Datta D. Waghmare & Anr. V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri Vishal Bakal, learned Advocate holding for Shri V.S. Kadam, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

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

3. For the reasons stated in the 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 stamps, if not paid.

4. M.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

ACTING CHAIRMAN

M.A. St. No. 2197/2019 in O.A. St. No. 1261/2018 (Shri Datta D. Waghmare and Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri Vishal Bakal, learned Advocate holding for Shri V.S. Kadam, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 28.01.2020.

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

4. Applicant is authorized and directed to serve on respondent/s 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

//2// M.A. St. 2197/2019 in O.A. St. 1261/2018

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 28.01.2020.

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

ACTING CHAIRMAN KPB ORAL ORDERS 04.12.2019

M.A. No. 587/2019 in O.A. St. No. 1259/2018 (Shri Shakh Nabi Shaikh Muqbul V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u> : 04.12.2019 ORAL ORDER :

Heard Shri Vishal Bakal, learned Advocate holding for Shri V.S. Kadam, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 28.01.2020.

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

4. Applicant is authorized and directed to serve on respondent/s 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

//2// M.A. No. 587/2019 in O.A. St. 1259/2018

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 28.01.2020.

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

ACTING CHAIRMAN KPB ORAL ORDERS 04.12.2019

M.A. No. 588/2019 in O.A. St. No. 2292/2019 (Shri Vyankat L. Nilawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri Vishal Bakal, learned Advocate holding for Shri V.S. Kadam, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 28.01.2020.

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

4. Applicant is authorized and directed to serve on respondent/s 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

//2// M.A. No. 588/2019 in O.A. St. 2292/2019

and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O. to 28.01.2020.

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

KPB ORAL ORDERS 04.12.2019

ORIGINAL APPLICATION NO. 574 OF 2018 (Smt. Seema A. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019

ORAL ORDER :

Heard Shri V.P. Deshmukh, learned Advocate holding for Shri Gajanan Kadam, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 6, Shri M.R. Bhokarikar, learned Advocate for respondent No. 7 and Shri Parag Shahane, learned Advocate for respondent No. 8.

2. At the request of learned Advocate for the applicant, S.O. to 08.01.2020.

KPB ORAL ORDERS 04.12.2019

ORIGINAL APPLICATION NO. 86 OF 2019 (Shri Bhimrao S. Pawar V/s. State of Maharashtra & Ors.) WITH ORIGINAL APPLICATION NO. 118 OF 2019 (Shri Dagadu K. Dhage V/s. State of Maharashtra & Ors.) WITH ORIGINAL APPLICATION NO. 278 OF 2019 (Shri Bhagwat M. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. Learned C.P.O. has filed a copy of written information in respect of unpaid candidates, who were filed the present O.As. Same is taken on record.

3. At the request of learned Chief Presenting Officer for the respondents, as a last chance, S.O. to 22.01.2020.

KPB ORAL ORDERS 04.12.2019

ORIGINAL APPLICATION NO. 253 OF 2019 (Shri Laxmikant M. Bhoskar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

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

3. S.O. to 10.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 334 OF 2019 (Shri Gorba R. Aaradwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri B.B. Shinde, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 12.12.2019.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 421 OF 2019 (Shri Ramesh S. Bari V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, as a last chance, S.O. to 22.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 358 OF 2019 (Shri Prem H. Kagada V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Ms. Depali V. Kendre, learned Advocate holding for Shri J.M. Murkute, learned Advocate holding for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed service affidavit of respondent No. 1. Same is taken on record.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

4. S.O. to 28.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 666 OF 2019 (Shri Mahendrasing N. Girase V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri Nitin Jagdale, learned Advocate holding for Shri M.V. Salunke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 24.01.2020.

KPB ORAL ORDERS 04.12.2019

ORIGINAL APPLICATION NO. 670 OF 2019 (Smt. Kaushalya B. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 24.01.2020.

KPB ORAL ORDERS 04.12.2019

ORIGINAL APPLICATION NO. 691 OF 2019 (Shri Rajendra B. Potdare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Shri S.P. Dhoble, learned Advocate holding for Shri A.N. Gaddime, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has submitted that presently the sur-rejoinder to the rejoinder filed by the applicant is not necessary.

3. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 28.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 733 OF 2019 (Shri Sainath B. Anmod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

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

3. S.O. to 27.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 876 OF 2019 (Shri Ishwar J. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

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

3. S.O. to 27.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 370 OF 2019 (Smt. Yasmin Hashmi Vasim Hashmi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

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

2. Learned Presenting Officer has submitted that during the course of the day affidavit in reply would be filed.

3. S.O. to 28.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 477 OF 2019 (Shri Irfan Khan Mohd Khan Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B. P. PATIL, ACTING CHAIRMAN <u>DATE</u>: 04.12.2019 ORAL ORDER:

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has placed on record a copy of the Government order dated 03.12.2019. Same is taken on record.

3. Learned Advocate for the applicant has submitted that the applicant does not want to proceed with the present O.A. and wants to withdraw the same. Therefore, he seeks leave of this Tribunal to withdraw the O.A.

4. Learned Presenting Officer has also prayed to dispose of the O.A.

5. Since the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. The O.A. is disposed of as withdrawn with no order as to costs.

KPB ORAL ORDERS 04.12.2019

ORIGINAL APPLICATION NO. 756 OF 2019 (Shri Manohar Tukaram Sardar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

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

2. By filing the present Original Application, the applicant has claimed following reliefs:-

- *"B)* The respondent authorities may kindly be directed to issue No Objection Certificate for release all Pensionary benefit like regular pension and gratuity with 9% interest per annum within 30 days from the date of order.
- C) The respondent authorities may kindly be directed to pay the salary of additional charge held by the applicant of the financial year 2009 to 2012 & remaining all arrears of applicant with 9% interest per annum & directed to pay the Rs. 20,000/- Advocate fees to the applicant within 30 days from the date of order."

3. Learned Advocate for the applicant has submitted that the cause of action to the applicant arose after his retirement and the applicant is residing at Aurangabad after his retirement. Therefore, the present Original Application is maintainable before this Bench in view of the provisions of Rule 6 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988.

4. Learned Presenting Officer has submitted that the applicant retired from the office of Electric Inspector, Akola. He has submitted that the applicant was posted at Akola at the time of his retirement and therefore, the cause of action to the applicant has arisen at Akola and therefore, the present O.A. is not maintainable before this Bench of the Tribunal in view of the provisions of Rule 6 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988.

5. I have gone through the provisions of Rule 6 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, which provides as follows:-

"6. Place of filing applications.-*The application shall ordinarily be filed by the applicant with the Registrar of the Bench within whose jurisdiction,-*

- *(i)* the applicant is posted for the time being, or
- (ii) the cause of action has arisen, or
- (iii) the respondent or any of the respondents against whom relief is sought, ordinarily resides :"

6. In the instant case, the applicant retired from the post of Electrical Inspector from the office of Electrical Inspector, Akola on 30.04.2013. After retirement, the cause of action for claiming pension arisen to the applicant at Akola. In view of the provisions of Rule

6(i) and 6(ii) of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, the applicant has to file the O.A. before the Bench under whose territorial jurisdiction cause of action has arisen. In the instant case the applicant retired from the office of Electrical Inspector, Akola and Akola does not come within the territorial jurisdiction of this Bench. Moreover, on perusal of the application, it reveals that all six respondents are residing at Mumbai. Therefore, in my view, the present O.A. is not maintainable in view of the provisions of Rule 6 (i) to (iii) of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. This Bench of the Tribunal has no jurisdiction to entertain the O.A and therefore, the same is not maintainable.

7. In view of this, the Original Application along with the documents filed along with it be returned to the applicant. The applicant shall collect the O.A. from the Registry of this Bench within 15 days from the date of this order and to present the same before the appropriate Bench of the Tribunal.

KPB ORAL ORDERS 04.12.2019

ORIGINAL APPLICATION NO.889 OF 2018 (Sayyed Matinoddin Amioddin V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Manoj Shelke, learned Advocate holding for Shri Shantaram R. Dheple, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of the learned C.P.O. for the Respondents, S.O. to 28.01.2020 for final hearing.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.932 OF 2019 (Dr. Vijaykumar P. Sul V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Heard Shri K.R. Doke, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply on behalf of the Respondents. Time granted.

3. S.O. to 21.01.2020.

ACTING CHAIRMAN

M.A.NO.417 OF 2018 IN O.A.ST.NO.1785 OF 2018 (Dangal S. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has produced the copy of communication dated 17.09.2019 received to her from the office of Joint Director of Health Service, (M.& F.) Puen, 06. The same is taken record and marked as 'X' for the purpose of identification.

3. Learned P.O. for the Respondents seeks time to produce the decision of the D.P.C. dated 03.01.2008. Time granted.

4. S.O. to 15.01.2020.

ACTING CHAIRMAN

M.A.NO.334 OF 2019 IN O.A.ST.NO.1457 OF 2019 (Ravi U. Vanjare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Heard Shri G.J. Karne, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. for the Respondents submits that the Respondents do not want to file affidavit-in-reply.

3. Learned Advocate for the Applicant states that the Applicant does not want to proceed with the O.A. and he wants to withdraw the same. Therefore, he prayed to grant leave to the Applicant to withdraw the Original Application with liberty to approach the Tribunal on fresh cause of action.

4. Since the Applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. The Original Application and Misc. Application both are disposed of as withdrawn with liberty to the Applicant to approach this Tribunal on fresh cause of action. No order as to costs.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.16 OF 2017 (Shaikh Mukhtyar Shaikh Noor Ali V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Shri M.D. Godhamgaonkar, learned Advocate for the Applicant has filed **leave note**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents, present.

2. In view of the leave note of the Advocate for the Applicant, S.O. to 17.01.2020 as a last chance.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.138 OF 2017 (Babu J. Phule V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Shri M.D. Godhamgaonkar, learned Advocate for the Applicant has filed **leave note**. Shri D.R. Patil, learned Presenting Officer for the Respondents, present.

2. In view of the leave note of the Advocate for the Applicant, S.O. to 17.01.2020 as a last chance.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.116 OF 2018 (Sanjay M. Deokate V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Sujeet D. Joshi, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 03.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.501 OF 2018 (Bhimrao W. More V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Shri Vaibhav B.Dhage, learned Advocate for the Applicant, **absent**. Shri N.U. Yadav, learned Presenting Officer for the Respondents, present.

2. None appeared for the Applicant. The matter is fixed for final hearing. The Applicant remained absent from previous date. It seems that the Applicant is not interested in prosecuting the matter. Hence, the matter is dismissed in default.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.583 OF 2018 (Sahebrao A. Sormare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 17.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.784 OF 2018 (Yogesh B. Amrutkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM: B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Shri Sanket N. Suryawanshi, learned Advocate for the Applicant has filed **leave note**. Shri B.S. Deokar, learned Presenting Officer for the Respondents, present.

2. In view of the leave note of the Advocate for the Applicant, S.O. to 17.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.789 OF 2018 (Vesti S. Valvi V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

DATE : 04.12.2019

ORAL ORDER :

Shri Amit Savale, learned Advocate for the Applicant, **absent**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents, present.

2. As none appeared for the Applicant, the matter is fixed for passing dismissal order on 17.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.1035 OF 2019 (Dr. Sonali B. Sayamber V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: **B.P. PATIL, ACTING CHAIRMAN** (This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 04.12.2019

ORAL ORDER :

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

2. Learned Advocate for the Applicant has submitted that the Applicant has been absorbed by G.R. dated 16.09.2019 on the post of Dental Surgeon, Group 'B' in the pay scale of Rs.9300-34,800 with grade pay of Rs.5400.

3. Learned Advocate for the Applicant has submitted that the Applicant is getting more pay than the pay scale granted in the G.R. dated 16.09.2019 and therefore, he has prayed to protect the pay of the Applicant.

4. Learned P.O. for the Respondents has submitted that the Applicant has been absorbed by G.R. dated 16.09.2019 subject to condition mentioned in the clause No.2 of the G.R. She has submitted that her earlier pay was not protected by the said G.R. and therefore, the Applicant cannot pray to protect the pay. The Applicant was initially appointed on ad-hoc basis and therefore the same cannot be protected.

5. On perusal of the record it reveals that the Applicant was initially appointed on ad-hoc basis. She has been absorbed by G.R. dated 16.09.2019 on certain condition in the pay scale of Rs. 9300-34,800 with grade pay of Rs.5400. Her pay has not protected under the said G.R. In the circumstances, in my view, the interim relief regarding pay protection cannot be granted at this juncture as the issue requires to be decided on merit on full fledge hearing in the matter. Hence, the request to grant interim relief is hereby rejected.

6. Issue notices to the respondents, returnable on 17.01.2020.

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 questions such as limitation and alternate remedy are kept open. 10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

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

12. S.O. to 17.01.2020.

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

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.1044 OF 2019 (Tukaram S. Katare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

<u>DATE</u> : 04.12.2019

ORAL ORDER :

Heard Shri D.A. Bide, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 17.01.2020.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

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

8. S.O. to 17.01.2020.

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

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.1052 OF 2019 (Dr. Rameshwar G. Rodge V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 20.01.2020.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

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

8. S.O. to 20.01.2020.

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

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.1053 OF 2019 (Dr. Jayashree A. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 20.01.2020.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

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

8. S.O. to 20.01.2020.

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

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.1054 OF 2019 (Dr. Ravikant A. Choudhare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 20.01.2020.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

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

8. S.O. to 20.01.2020.

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

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.1055 OF 2019 (Dr. Rajashri B. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 20.01.2020.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

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

8. S.O. to 20.01.2020.

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

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.289 OF 2018 (Suraj S. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Ganesh V. Mohekar, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent No.1. The same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the Applicant seeks time to file affidavit-in-rejoinder, if necessary. Time granted.

4. S.O. to 08.01.2020.

ACTING CHAIRMAN

C.P.NO.46 OF 2019 IN O.A.NO.153 OF 2018 (Mukund M. Dhotre V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri Avishkar S. Shelke, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has produced the copy of communication dated 30.11.2019 received to him from Shri P.K. Mahajan, Chief Conservator of Forest (Territorial), Aurangabad i.e. the Respondent No.2. The same is taken on record and marked as 'X' for the purpose of identification.

3. At the request of the learned Advocate for the Applicant, S.O. to 07.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.534 OF 2019 (Mahesh H. Badake V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Ms. P.R. Wankhade, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply on behalf of the Respondent No.1. Time granted.

3. S.O. to 09.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.766 OF 2019 (Devidas U. Shelke V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the Respondents, S.O. to 17.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.773 OF 2019 (Babu V. Gitte V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the Respondents, S.O. to 17.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.809 OF 2019 (Gautam K. Bhalerao V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the Respondents, S.O. to 17.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO.947 OF 2019 (Dr. Anil R. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that this Tribunal in case of similarly situated persons stayed the impugned order to the extent of recovery of amount from the salary of the Applicant and therefore, she has prayed to grant stay to the execution of the impugned order to the extent of recovery of amount from the salary of the Applicant.

3. I have perused the order passed by this Tribunal on 22.11.2019 in O.A.Nos.997, 998, 999, 1001, 1002, 1003, 1004, 1005 and 1006 all of 2019 in case of similarly situated person. Para No.6 of the said order reads as follows:-

> "In view of the above, impugned order directing recovery of the amount from the salary of the present applicant is stayed till filing of the affidavit in reply by the Respondents."

4. In these circumstances, in my view, the recovery of amount from the salary of the Applicant requires to be stayed till further order.

5. In view of the above, impugned order directing recovery of the amount from the salary of the present applicant is stayed till further order.

6. S.O. to 13.01.2020.

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

ACTING CHAIRMAN

M.A.NO.208 OF 2019 IN O.A.ST.NO.600 OF 2019 WIH M.A.NO.209 OF 2019 IN O.A.ST.NO.601 OF 2019 WTH

M.A.NO.210 OF 2019 IN O.A.ST.NO.602 OF 2019 (Shriniwas P. Karve & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: B.P. PATIL, ACTING CHAIRMAN (This matter is placed before the Single Banah due to non quailability of Division

Bench due to non-availability of Division Bench)

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Suresh M. Kulkarni, learned Advocate for the Applicants in all the O.As., Shri M.S. Mahajan, learned Chief Presenting Officer, Shri D.R. Patil and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the Respondents in respective O.As.

2. Learned Advocate for the Applicants states that the Applicants want to withdraw the Misc. Applications with liberty to file fresh Misc. Applications.

3. In view of the submission of the learned Advocate for the Applicants, Misc. Applications are disposed of as withdrawn with liberty to the Applicants to file fresh Misc. Applications within two weeks. No order as to costs.

ACTING CHAIRMAN

M.A.NO.221 OF 2019 IN O.A.NO.84 OF 2019 (Kishor U. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER TR

TRIBUNAL'S ORDERS

<u>CORAM</u>: B.P. PATIL, ACTING CHAIRMAN

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

<u>DATE</u> : 04.12.2019

ORAL ORDER :

Shri Anil P. Piratwad, learned Advocate for the Applicant, **absent**. Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents, present.

2. As none appeared for the Applicant, the matter is fixed for passing dismissal order on 16.12.2019.

ACTING CHAIRMAN

C.P.NO.57 OF 2018 IN O.A.NO.210 OF 2013 (Madhukar R. Mapari V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. for the Respondents seeks one week's time to keep the all Contemnor present before this Tribunal. Time as prayed for is granted.

3. S.O. to 13.12.2019. On that date all the Contemnor be present before this Tribunal without fail.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 374 OF 2018 (Shri Girish B. Deshmukh V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM: B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Chief Presenting Officer for the respondents.

At the request and by consent of both the parties,
S.O. to 16.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 935 OF 2018 (Shri Chandrabhan V. Veer V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM: B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

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

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

3. In the circumstances, S.O. to 16.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 93 OF 2019 (Smt. Priyanka J. Janephalkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER:

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 17.01.2019 for filing affidavit in reply.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 108 OF 2019 (Shri Krushna R. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

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

At the request and by consent of both the parties,
S.O. to 17.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 245 OF 2019 (Smt. Subhadra J. Mahuwale V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER:

Heard Shri H.V. Tungar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, **S.O. to 21.01.2020** for making submissions on the line of the order dated 15.11.2019 passed by this Tribunal.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 249 OF 2019 (Shri Ashok R. Khandagale V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri A.D. Kawade, learned Advocate holding for Shri Sandeep R. Sapkal, 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 27.01.2020 for filing rejoinder affidavit, if any.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 281 OF 2019 (Shri Prasad B. Deshmukh V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER:

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

At the request and by consent of both the parties,
S.O. to 20.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 312 OF 2019 (Dr. Ashok P. Misal V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM: B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri J.S. Deshmukh, 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. 1 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. In the circumstances, S.O. to 13.01.2020.

ACTING CHAIRMAN

O.A. NOS. 318 TO 320 ALL OF 2019 (Dr. Raman S. Dalvi V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER:

Heard Shri Kiran Salunke, learned Advocate for the applicants in all these cases and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases.

2. At the request of learned Advocate for the applicants, S.O. to 07.01.2020 for filing rejoinder affidavit in all these cases.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 490 OF 2019 (Shri Shivhar B. Bhise V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER:

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

At the request and by consent of both the parties,
S.O. to 17.01.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 669 OF 2019 (Shri Raju B. Rasede V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER:

Heard Mrs. S.R. Awad, learned Advocate holding for Shri Anandsingh S. Bayas, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 08.01.2020 for filing affidavit in reply.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 724 OF 2019 (Shri Kailesh I. Khandagale & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM: B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Sandeep G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 20.01.2020 for filing affidavit in reply.

ACTING CHAIRMAN

C.P. NO. 27/2019 IN O.A.NO. 260/2017 (Shri Bhagwat D. Bedke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

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

At the request and by consent of both the parties,
S.O. to 20.12.2019.

ACTING CHAIRMAN

M.A.NO. 453/2019 IN O.A.ST.NO. 1700/2019 (Shri Tambe Surajkumar Govind V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 04.12.2019

ORAL ORDER :

Heard Shri Zia-Ul-Mustafa, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 24.01.2020 for filing affidavit in reply in M.A. No. 453/2019.

ACTING CHAIRMAN