

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

**ORIGINAL APPLICATION NO.401/2019
(Ashok Pundlik Gote & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 08.07.2019

ORAL ORDER :

Heard Shri Bharat Kulkarni learned Advocate for the applicants and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants states that similar matter i.e. O.A.No.497/2019 is pending at Principle Seat of the Tribunal at Mumbai wherein identical issue is being agitated.

3. Learned Advocate for the applicants states that it would be proper, fair and reasonable to transfer this O.A. to Mumbai for disposal in accordance with law.

4. For the facts and reasons stated by the learned Advocate for the applicants, this O.A. be transferred to Mumbai Seat of the Tribunal by hand delivery of the applicants.

5. Required number of sets of paper book of O.A., shall have to be served by the applicants on the learned CPO at Principal Seat at Mumbai for hearing and disposal in accordance with law.

CHAIRMAN

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

**ORIGINAL APPLICATION NO.470/2019
(Ramrao S/o Vithalrao Utkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 08.07.2019

ORAL ORDER :

Heard Shri Bharat Kulkarni learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant states that similar matter i.e. O.A.No.497/2019 is pending at Principle Seat of the Tribunal at Mumbai wherein identical issue is being agitated.

3. Learned Advocate for the applicant states that it would be proper, fair and reasonable to transfer this O.A. to Mumbai for disposal in accordance with law.

4. For the facts and reasons stated by the learned Advocate for the applicant, this O.A. be transferred to Mumbai Seat of the Tribunal by hand delivery of the applicant.

5. Required number of sets of paper book of O.A., shall have to be served by the applicant on the learned CPO at Principal Seat at Mumbai for hearing and disposal in accordance with law.

CHAIRMAN

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

**ORIGINAL APPLICATION NO. 721 OF 2018
(Shri Bhagwan L. Sangle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for respondent No. 1 and Smt. Suchita A. Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 and 3.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent No. 1. Time granted as a most last chance.

3. S.O. to 19.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**M.A. No. 09/2018 in O.A. No. 929/1999
(Shri Narayan N. Wakchaure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate holding for Shri S.N. Suryawanshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.
2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted as a last chance.
3. S.O. to 19.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 943 OF 2018
(Shri Suresh K. Bharti V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 20.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 699 OF 2018
(Smt. Kalpana D. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 20.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 499 OF 2019
(Shri Madhukar B. Dhabe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 19.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 169 OF 2018
(Shri Shankar D. Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Shri A.D. Sugdare, learned Advocate for the applicant (**Leave Note**). Shri B.S. Deokar, learned Presenting Officer for respondent No. 1 and Smt. Suchita A. Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 and 3, are present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 20.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**M.A. No. 128/2019 in O.A. St. No. 97/2019
(Dr. Shridhar K. Kendre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri U.L. Kasbe, learned Advocate holding for Shri R.M. Lone, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 3. Smt. Pratibha Bharat, learned Advocate for respondent Nos. 4 and 5 and Shri A.B. Shinde, learned Advocate for respondent Nos. 6 & 7, **are absent.**
2. No affidavit in reply is filed by the respondent Nos. 4 to 7 in M.A.
3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3 in M.A. Time granted as a last chance.
4. S.O. to 22.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 407 OF 2019
(Smt. Sadhana U. Borse @ Sadhana S. Pachpol V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 15.07.2019 for passing necessary orders.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**M.A. No. 478/2018 in O.A. St. No. 1983/2018
(Shri Suresh D. Khadve & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri A.S. Deshmukh, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for respondents.
2. Learned Advocate for the applicants on instructions has submitted that the applicants want to file fresh representation before the competent authority for consideration of their claim on the basis of the G.R. dated 19.01.2013 and therefore, they do not want to proceed with the present M.A. and O.A. Therefore, he has prayed to dispose of the M.A. and O.A. with liberty to the applicants to approach before the competent forum.
3. Learned Presenting Officer has prayed to pass necessary orders.
4. Since the applicants do not want to proceed with the M.A. and O.A., the same are disposed of as withdrawn with liberty to the applicants to approach the competent forum regarding their grievance. There shall be no order as to costs.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 783 OF 2018
(Shri Sandeep S. Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

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

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 21.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 240 OF 2019
(Shri Pandit M. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri B.K. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

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

3. S.O. to 02.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**M.A. No. 117/2019 in O.A. St. No. 510/2019
(Smt. Pushpa C. Dhangar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri S.B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.
2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents in M.A. Time granted as last chance.
3. S.O. to 25.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 405 OF 2019
(Shri Shishupal S. Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 23.08.2019.

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 23.08.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

KPB ORAL ORDER 08.07.2019.

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

**ORIGINAL APPLICATION NO. 275 OF 2017
(Shri Mohd. Asfiouddin Mohd. Bashiruddin and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri R.R. Bangar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 to 3. Shri S.E. Madne, learned Advocate for respondent No. 4, **absent**.

2. Learned Presenting Officer has filed short affidavit on behalf of respondent No. 1 as per the order dated 19.10.2018 passed by this Tribunal. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 25.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 807 OF 2017
(Shri Ravikant R. Hadoltikar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.
2. Learned Presenting Officer has placed on record a copy of the communication dated 20.05.2019 along with accompanying documents. Same are taken on record and marked 'X' for the purposes of identification.
3. Learned Advocate for the applicant on instructions seeks leave of this Tribunal to withdraw the present O.A. with liberty to file fresh O.A.
4. Learned Presenting Officer has prayed to pass necessary orders.
5. Since the applicant does not want to proceed with the O.A., leave as prayed for is granted. Hence, the O.A. is disposed of as withdrawn with liberty to the applicant to approach the Tribunal on fresh cause of action. There shall be no order as to costs.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 131, 132 & 159 ALL OF 2018
(Shri Digambar S. Chothe & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri A.S. Deshmukh, learned Advocate for the applicants in all these O.As. and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents in all these O.As.

2. Learned Presenting Officer has placed on record a copy of communication dated 05.07.2019 along with relevant documents. Same are taken on record and marked as document 'X' collectively for the purposes of identification. She seeks time to take instructions from the respondents as to whether they are going to consider the cases of the applicants afresh in view of the G.R. dated 10.11.2009. Time granted.

3. S.O. to 25.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 816 OF 2018
(Shri Bhaskar Haribhau Channe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Shri K.J. Suryawanshi, learned Advocate for the applicant (**Absent**).

Heard Shri S.K. Shirse, learned Presenting Officer for respondents.

2. On perusal of the communication dated 22.04.2019, it reveals that it is addressed to the Chief Presenting Officer from the Deputy Executive Engineer, Kukdi Vitran Bandhkam Vibhag, Kolwadi, Tq. Karjat, Dist. Ahmednagar, stating that the benefit as claimed by the applicant has been extended to him. The said communication is filed on record by the respondents on 25.04.2019. The learned Advocate for the applicant sought several adjournments to take instructions from the applicant in that regard.

3. In spite of ample opportunities given to the applicant, the applicant or his Advocate had not made any statement in that regard.

4. On perusal of the communication dated 22.04.2019, it reveals that the benefit under A.C.P.S. has been extended to the applicant. The purpose of filing of the present O.A. has been served and nothing survives in the O.A. Hence, the O.A. is disposed of accordingly with no order as to costs.

VICE CHAIRMAN

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

**M.A. No. 139/2019 in O.A. No. 412/2018
(Shri Prakash Uttamrao Ukkalgaonkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

1. Heard Shri A.A. Joshi, learned Advocate holding for Shri S.V. Natu, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 & 4 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 and 3.

2. Learned Advocate for the applicant has filed pursis, signed by the applicant along with other relevant documents stating that he wants to withdraw the present M.A. and O.A. with liberty to file appropriate proceeding. Same are taken on record and marked as document 'X collectively' for the purposes of identification.

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

3. Learned Presenting Officer has prayed to pass necessary orders. He has also submitted that on

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M.A. No. 139/2019 in
O.A. No. 412/2018

10.01.2018 in O.A. No. 412/2018 the costs was imposed on the respondents for not filing affidavit in reply in time and therefore, he has submitted that in view of the submissions of the learned Advocate for applicant for withdrawal of the present M.A. and O.A., the costs imposed on the respondents may be waived.

4. As the applicant is going to withdraw the present M.A. and O.A., the costs imposed on the respondents on 08.1.2019 in O.A. No. 412/2018 is hereby waived.

5. Since the applicant does not want to proceed with the M.A. and O.A. and wants to withdraw the same, leave as prayed for is granted. The M.A. and O.A. both are disposed of as withdrawn with liberty to the applicant to approach appropriate forum. There shall be no order as to costs.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 97 OF 2018
(Dr. Vijayprakash N. Tambhale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

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

2. Learned Presenting Officer states that there is no necessity to file affidavit in reply to the amended O.A., as the respondents have already filed affidavit in reply in the O.A.

3. At the request of learned Advocate for the applicant, S.O. to 24.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**ORIGINAL APPLICATION NO. 155 OF 2018
(Shri Arjun D. Kharat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 08.07.2019.

ORAL ORDER :

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

2. Learned Presenting Officer has placed on record a copy of communication dated 04.05.2019 along with accompanying documents. Same are taken on record and marked as document "X collectively" for the purposes of identification.

3. At the request of learned Advocate for the applicant, S.O. to 19.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 08.07.2019

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

**C.P. No. 47/2018 IN O.A. No. 138/2016
(Dr. Shaikh Faiz Mohammad Noor Mohammad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

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

DATE : 08.07.2019

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate for the applicants, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri D.T. Devane, learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the applicant, S.O. to 16.07.2019.

CHAIRMAN

kpb ORAL ORDERS 08.07.2019 C.

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

**ORIGINAL APPLICATION NO. 494 OF 2018
(Shri Gangadhar L. Kamble and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

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

DATE : 08.07.2019

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned
Advocate for the applicants and Smt. M.S. Patni,
learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 19.09.2019.

CHAIRMAN

kpb ORAL ORDERS 08.07.2019 C.

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 251 OF 2019
(Subject – Suspension Period / Pensionary Benefits)**

DISTRICT : JALGAON

Smt. Ushabai Shraavan Dhangar,)
Age : 54 years, Occu. : nil)
R/o Gut No. 95/2, Plot No. 45,)
Ahilyabai Tilak Nagar, Behind Big)
Water Tank, Behind Kotenagar,)
Dist. Jalgaon.) .. **APPLICANT**

V E R S U S

1) **The State of Maharashtra,**)
Through Principal Secretary,)
Home Department,)
Mantralaya, Mumbai 32.)

2) **The Superintendent of Police,**)
Jalgaon.)

.. **RESPONDENTS**

APPEARANCE : Shri S.D. Dhongde, Advocate for the Applicant.

: Smt. Sanjivani K. Deshmukh-Ghate, Presenting
Officer for the Respondents.

CORAM : **JUSTICE A.H. JOSHI, CHAIRMAN.**

DATE : **08.07.2019.**

O R A L - O R D E R

1. Heard Shri S.D. Dhongde, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has placed on record a copy of communication dated 05.07.2019 along with a copy of the order dated 05.07.2019 issued by the Superintendent of Police, Jalgaon. Same are taken on record and marked as document 'X collectively' for the purposes of identification. She has further submitted that in view of the aforesaid order dated 05.7.2019, the purpose of filing of the present O.A. of the applicant is served.

3. However, learned Advocate for the applicant concedes the aforesaid position and submits that the present O.A. may be disposed of.

4. In view of the aforesaid submissions made by both the parties and in view of the aforesaid order dated 05.07.2019 issued by the Superintendent of Police, Jalgaon, the Original Application is disposed of with no order as to costs.

(A.H.JOSHI)
CHAIRMAN

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

**ORIGINAL APPLICATION NO. 79 OF 2019
(Shri Prakash F. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

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

DATE : 08.07.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the
applicants and Smt. M.S. Patni, learned Presenting
Officer for the respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 30.08.2019.

CHAIRMAN

kpb ORAL ORDERS 08.07.2019 C.

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

**ORIGINAL APPLICATION NO. 359 OF 2019
(Shri Santaram M. Sonwane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

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

DATE : 08.07.2019

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for
the applicants 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 27.08.2019.

CHAIRMAN

kpb ORAL ORDERS 08.07.2019 C.

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

**ORIGINAL APPLICATION NO. 779 OF 2018
(Shri Shaikh Javed Shaikh Mohammad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 08.07.2019

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Shri Amit Dhongde, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24.09.2019.

CHAIRMAN

kpb ORAL ORDERS 08.07.2019 C.

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

**ORIGINAL APPLICATION NO. 606 OF 2019
(Shri Sayanna N. Aadpod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 08.07.2019

ORAL ORDER :

Heard Smt. A.N. Ansari, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.08.2019.

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. Heard on the point of interim relief.

9. Transfer is mid-term.

10. Impugned order of transfer does not disclose special reasons and exceptional circumstances.

11. Reliever of the applicant has not yet reported. Hence, ad-interim stay of impugned order is hereby granted until further orders.

12. S.O. to 30.08.2019.

13. Steno copy and hamdast allowed for the use of both the sides.

CHAIRMAN

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

**M.A. St. No. 1321/2019 IN O.A. St. No. 1322/2019
(Shri Dnyaneshwar U. Patil and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 08.07.2019

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicants and Shri V.R. Bhumkar, 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. Accompanying O.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.

CHAIRMAN

kpb ORAL ORDERS 08.07.2019 C.

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

**ORIGINAL APPLICATION ST. NO. 1322 OF 2019
(Shri Dnyaneshwar U. Patil and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 08.07.2019

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.08.2019.

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 30.08.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

CHAIRMAN

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

**M.A. St. No. 1324/2019 IN O.A. No. 563/2019
(Shri Ravindra R. Kakade and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 08.07.2019

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, 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. Accompanying O.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.

CHAIRMAN

kpb ORAL ORDERS 08.07.2019 C.

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

**ORIGINAL APPLICATION NO. 563 OF 2019
(Shri Ravindra R. Kakade and Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 08.07.2019

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.08.2019.

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 30.08.2019.

9. Steno copy and hamdast allowed for the use of both the sides.

CHAIRMAN

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

**ORIGINAL APPLICATION NO. 01 OF 2019
(Shri Laxman V. Bharde Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 17.07.2019 for filing rejoinder affidavit, if any.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 374 OF 2019
(Dr. Mohammad Sharif Bismilla Khan Pathan Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 24.07.2019 for filing affidavit in reply.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 299 OF 2019
(Shri Rahul T. Pol & Others Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. S.O. to 22.07.2019.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 295 OF 2019
(Maharashtra Rajya Hangami Hivtap Prayogashala Karmachari Sangathana,
Through its President, Bharat s/o Mulujirao Tangade Vs. State of Maharashtra
& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for
the applicant and Shri M.S. Mahajan, learned Chief
Presenting Officer for the respondents.

2. Learned Chief Presenting Officer seeks time for
filing short affidavit. Time granted.

3. S.O. to 12.07.2019.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 246 OF 2019
(Shri Shriniwas S. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri S.S. Bhendekar, learned Advocate holding for Shri S.B. Solanke, learned Advocate for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. S.O. to 19.07.2019.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 78 OF 2019
(Dr. Mamata R. Chincholikar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri S.S. Bhendekar, learned Advocate holding for Shri S.B. Solanke, learned Advocate for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. S.O. to 19.07.2019.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**M.A.NO. 358/2014 IN O.A.ST.NO. 1884/2014
(Dr. Gangadhar D. Chate Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Shri S.V. Munde, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri A.R. Tapse, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for respondent No. 4, were present.

2. Since nobody appears for the applicant, S.O. to 06.08.2019.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**O.A.NO. 519/2018 WITH O.A.NO. 534/2018
(Shri Vishwanath U. Choudhary & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri Avishkar S. Shelke, learned Advocate for the applicants in both these cases (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in both these cases, present.

2. Since nobody appears for the applicants, S.O. to 25.07.2019 for final hearing.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 83 OF 2017
(Smt. Sayyad Jarinabi Raisoddin & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

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

2. Since nobody appears for the applicant, S.O. to 18.07.2019.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 906 OF 2018
(Shri Chetan S. Ahire Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, 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 19.07.2019 for filing rejoinder affidavit, if any.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 694 OF 2018
(Shri Somnath S. Reddy Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 09.07.2019. Interim relief granted earlier by this Tribunal by an order dated 17.06.2016 to continue till then.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**C.P.NO. 15/2014 IN O.A.NO. 1128/1999
(Shri Revannath R. Landge Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Ms. Nidhi Loya, learned Advocate holding for Shri S.V. Adwant, learned Special Counsel for the respondents.

2. At the request of learned Special Counsel for the respondents, S.O. to 22.07.2019 for filing sur-rejoinder.

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 863 OF 2018
(Shri Ajay Indal Jarwal Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri Anant D. Gadekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Respondents in additional affidavit in reply in paragraph No. 4 submits that, "the applicant has not claimed for any correction in his appointment order at any time". However, learned Advocate for the applicant has filed representation dated 09.11.2017 to the respondent Nos. 2 & 3 (Annexure 'A-9', page 45 of paper book of O.A.) i.e. Commissioner for Social Welfare, M.S., Pune & the Regional Deputy Commissioner, Social Welfare Department, Aurangabad, District Aurangabad, wherein, he has made detailed submissions that since his appointment has been made against handicapped category, he is not required to submit necessary Caste Verification Certificate.

3. In the circumstances, the respondents are directed to take fresh decision on the aforesaid representation dated 09.11.2017 within a period of two

O.A. NO. 863 OF 2018

months from the date of this order and communicate the decision therein to the applicant in writing.

4. S.O. to 06.09.2019.

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

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 697 OF 2018
(Shri Mahesh B. Chavan & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed a copy of the letter dated 02.07.2019 addressed to the respondent No. 4 viz. Chief Conservator of Forests (Territorial), Aurangabad Circle, Aurangabad, by the Chief Conservator of Forest, (Human Resources), Nagpur and the copy of the same has been taken on record and marked as document 'X' for the purposes of identification.

3. On perusal of the aforesaid letter dated 02.07.2019, it reveals that the proposal has been referred to the Government vide letter issued by the office of Chief Conservator of Forest, (Human Resources), Nagpur, No. कक्ष १०(१)/आस्था/एक/प्र.क.२४(१९-२०) १२०, दि. १८.६.२०१९. After getting approval of Government, the process of promotions from the cadre of Foresters to the cadre of Range Forest Officers would be effected

and due to that it would not be possible to communicate the date of holding of meeting of DPC.

4. In view of the proposal submitted to the Government, no DPC should be conducted without permission of this Tribunal.

5. S.O. to 08.08.2019.

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

MEMBER (A)

ORAL ORDER 08.07.2019-HDD

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

**M.A. 307/2019 IN O.A.ST.1248/2019 WITH CAVEAT 53/2019
(Shri Harshal M. Nagare & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate holding for Shri Yogesh B. Bolkar, learned Advocate for the applicants and Mrs. 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. Accompanying O.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.

CHAIRMAN

ORAL ORDER 08.07.2019-HDD

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

**O.A.ST.1248/2019 WITH CAVEAT 53/2019
(Shri Harshal M. Nagare & Ors. Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate holding for Shri Yogesh B. Bolkar, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 30.09.2019.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

**O.A.ST.1248/2019 WITH
CAVEAT 53/2019**

(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. Applicants are 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, O.A. shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 30.09.2019.

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

CHAIRMAN

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 534 OF 2019
(Shri Mahesh H. Badake Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 08.07.2019.

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. S.O. to 11.07.2019.

CHAIRMAN

ORAL ORDER 08.07.2019-HDD

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

**M.A.ST.NO. 1318/2019 IN O.A.ST.NO. 1319/2019
(Shri Nathu N. Khartade Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 08.07.2019.

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate holding for Shri Yogesh B. Bolkar, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. M.A. St. No. 1318/2019 has been filed by the applicant for condonation of delay of about 6 years caused in filing O.A. St. No. 1319/2019.

3. Issue common notices in M.A. St. No. 1318/2019 & O.A. St. No. 1319/2019 to the respondents, returnable on 30.08.2019.

4. Tribunal may take the case for final disposal at once 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 both the cases. Respondents are put to notice that the both cases would be taken up for final disposal at the stage of admission hearing.

**M.A.ST. NO. 1318/2019
IN O.A.ST.NO. 319/2019**

6. 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.

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

9. S.O.to 30.08.2019.

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

CHAIRMAN

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

**ORIGINAL APPLICATION NO. 569 OF 2019
(Shri Bapusaheb B. Sase Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 08.07.2019.

ORAL ORDER :

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

2. S.O. to 07.08.2019.

CHAIRMAN

ORAL ORDER 08.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 530 OF 2019
(Shri Kalyansing D. Sulane Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 08.07.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 25.07.2019.

CHAIRMAN

ORAL ORDER 08.07.2019-HDD

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

**C.P. ST. 928/2019 IN O.A. 817/2015
(Dr. Anita R. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O.
to 30.8.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION ST. NO. 634/2019
(Shri Abhishek U. Kahalekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate holding for Shri C.V. Dharurkar, 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 30.8.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

C.P. 18/2018 IN O.A. 456/2016

WITH

M.A. 226/2018 IN REV. ST. 1133/2018

(Mohd. Imran Khan Mohd Haroon Khan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Heard Smt. Juee Parlikar – Parlikar learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. It is reported by the learned P.O. that the order passed by the Tribunal in O.A. is complied.

3. In the circumstances, in view of compliance, the present C.P. is disposed of.

4. In view of disposal of Contempt Petition, the M.A. filed by the State for condonation of delay caused in filing Review Application & Review Application itself filed for review of order of the Tribunal passed in O.A. have become infructuous and the same are also disposed of. There shall be no order as to costs.

CHAIRMAN

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

**C.P. 20/2019 IN M.A. 97/2012 IN O.A. 817/2011
(Shri Shivaji V. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

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

2. Shri S.B. Mene, learned Advocate appears for res. no. 3 and has filed his Vakalatnama and affidavit in reply of res. no. 3. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 9.8.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 732/2018
(Shri Akhtarkhan Shahajadekhan Pathan and Ors. V/s. State of Maharashtra &
Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 9.9.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 410/2019
(Shri Santosh R. Jagdale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

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

2. Learned Advocate for the Applicant prays for leave to amend for substituting memo of Original Application and for placing on record Recruitment Rules etc.

3. Leave to substitution as prayed for is granted. Amendment be carried out within four weeks.

4. Issue fresh notices to the respondents after amendment, returnable on 19.9.2019.

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

6. 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.

7. 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.

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. 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.

10. S.O. to 19.9.2019.

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

CHAIRMAN

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

**ORIGINAL APPLICATION NO. 203/2019
(Shri Kailash N. Wallkatti V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Shri Kiran G. Salunke, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By this Original Application the applicant has challenged two orders dated 12.2.2019 (Annex. A.2 and Annex. A. 5 at paper book pages 14 & 17 respectively).

3. Record shows that res. no. 4 has not appeared though notice is duly served on him on 8.3.2019.

4. In the Original Application the applicant has pleaded as regards non-compliance of provisions of sec. 4 (4) & 4 (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for short R.O.T. Act, 2005) as follows :-

“III) The impugned order dated 12.2.2019 issued by the respondent No. 2 is issued without applying any provisions of Transfers Act, 2005.

VIII) The respondent no. 2 while issuing the impugned order dated 12.2.2019 has only stated that, the impugned order has been issued on administrative ground. The respondent No. 2

failed to evoke a single provisions of Transfers Act, 2005 while transferring the applicant.

IX) The respondent No. 2 by letter dated 27.2.2019 is now shifting the burden of transfer of the applicant on respondent no. 3.”

5. Pleadings being very vague, it is not possible to pass any order in the present matter.
6. Learned Advocate for the applicant seeks permission to amend O.A.
7. Leave as prayed for is granted.
8. In the circumstances, S.O. to 30.8.2019.

CHAIRMAN

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

**ORIGINAL APPLICATION NO. 177/2018
(Shri Gangadhar M. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Shri R.K. Ashtekar, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 19.9.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 211/2018
(Shri Dilip K. Mankeshwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent no. 1 and Shri S.B. Patil, learned Advocate for respondent no. 2.

2. Prima-facie facts are not satisfactorily pleaded. Hence, adjourned to 19.9.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 853/2018
(Shri Pramod C. Bute V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for leave to amend to add Annexures. Leave as prayed for is granted.

3. S.O. to 19.9.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 890/2018
(Shri Shaikh Dadamiya Shaikh Hussain & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants prays for time to file rejoinder. Time granted.

3. S.O. to 20.9.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 73/2019
(Shri Prasad S. Bhise V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer, S.O. to 20.9.2019 for filing affidavit in reply of the respondents.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 121/2019
(Shri Haribhau K. Gosavi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. Learned P.O. prays for 2 weeks time for issuing order of posting of applicant. Time as prayed for is granted.

3. S.O. to 22.7.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 366/2019
(Shri Sagarsing K. Gusinge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. At the request of learned C.P.O., S.O. to 1.8.2019 for filing affidavit in reply of the respondents.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 415/2019
(Shri Rajendra S. Jagdale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 7.8.2019 for filing affidavit in reply of the respondents.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 419/2019
(Shri Bhimrao G. Wahvale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 7.8.2019 for filing affidavit in reply of the respondents.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO. 431/2019
(Smt. Ashabai M. Suradkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

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 learned P.O., S.O. to 7.8.2019 for filing affidavit in reply of the respondents.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**M.A. 337/2017 IN M.A. ST. 973/2017 IN O.A. ST. 974/2017
(Abdul Jabbar Abdul Rahim Shaikh & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. Though the learned Presenting Officer prays for 3 months time for securing instructions on the line of order dated 25.6.2019 still for the present, S.O. to 26.8.2019.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**M.A. 71/2019 IN O.A. 916/2016
(State of Maharashtra Vs. Shri Sattar Khan Jamal Khan)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Shri M.P. Gude, learned Presenting Officer for the applicant in the present M.A. / respondents and Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the respondent in the present M.A. / applicant in O.A.

2. The present misc. application has been filed by the respondent State for grant of extension of six months period from 19.1.2019 for compliance of the order of the Tribunal passed in O.A.

3. The present misc. application is disposed of as it is misconceived. There shall be no order as to costs.

CHAIRMAN

ARJ ORAL ORDER 8.7.2019

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

**ORIGINAL APPLICATION NO.764 OF 2018
(Prashant B. Kachawa V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Shri Kiran G. Salunke, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned P.O. on instructions received from the Respondents states that there is no need to file affidavit-in-sur-rejoinder on behalf of the Respondents.

3. S.O. to 14.08.2019.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.586 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Shri Vijay M. Kawade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Ms. V.B. Dolas, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. She has submitted that the Applicant was due for transfer and he had submitted his choice of places for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. She has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. She has submitted that the Applicant has not yet relieved and therefore, She has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

3. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

4. Learned C.P.O. for the Respondents has further submitted that the Applicant has been relieved from his present posting today in afternoon session and therefore, the impugned transfer order cannot be stayed, as it had been executed.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the

recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board. Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. The document on record shows that the Chief Executive Officer, Zilla Parishad, Ahmednagar issued relieving order of LDO today i.e. on 8.7.2019 during the pendency of the present Original Application, but there is nothing on record to show that the said order has been served on the Applicant and the Applicant has been relieved. The said order has not been yet implemented and executed.

8. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

9. In view thereof, the impugned order is stayed till next date.
10. Issue notices to the respondents returnable on 01.08.2019.
11. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
12. 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.
13. 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.
14. 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.
15. 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.

16. S.O. to 01.08.2019.

17. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.587 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Sharad D. Gopale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of places for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. Learned C.P.O. for the Respondents has further submitted that the Applicant has been relieved from his present posting today in afternoon session and therefore, the impugned transfer order cannot be stayed, as it had been executed.

6. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the

recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board. Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

7. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

8. The document on record shows that the Chief Executive Officer, Zilla Parishad, Ahmednagar issued relieving order of LDO today i.e. on 8.7.2019 during the pendency of the present Original Application, but there is nothing on record to show that the said order has been served on the Applicant and the Applicant has been relieved. The said order has not been yet implemented and executed.

9. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

10. In view thereof, the impugned order is stayed till next date.

11. Issue notices to the respondents returnable on 01.08.2019.

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

13. 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.

14. 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.

15. 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.

16. 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.

17. S.O. to 01.08.2019.

18. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.588 OF 2019
CAVEAT NO.56/2019 TO 60/2019**

(Dr. Santosh U. Wakchaure V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of places for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. Learned C.P.O. for the Respondents has further submitted that the Applicant has been relieved from his present posting today in afternoon session and therefore, the impugned transfer order cannot be stayed, as it had been executed.

6. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the

recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board. Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

7. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

8. The document on record shows that the Chief Executive Officer, Zilla Parishad, Ahmednagar issued relieving order of LDO today i.e. on 8.7.2019 during the pendency of the present Original Application, but there is nothing on record to show that the said order has been served on the Applicant and the Applicant has been relieved. The said order has not been yet implemented and executed.

9. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

10. In view thereof, the impugned order is stayed till next date.

11. Issue notices to the respondents returnable on 01.08.2019.

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

13. 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.

14. 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.

15. 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.

16. 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.

17. S.O. to 01.08.2019.

18. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.593 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Neeta D. Dangat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and she had submitted her choice of places for transfer. But without considering her choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, she has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. Learned C.P.O. for the Respondents has further submitted that the Applicant has been relieved from his present posting today in afternoon session and therefore, the impugned transfer order cannot be stayed, as it had been executed.

6. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the

recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board. Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

7. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

8. The document on record shows that the Chief Executive Officer, Zilla Parishad, Ahmednagar issued relieving order of LDO today i.e. on 8.7.2019 during the pendency of the present Original Application, but there is nothing on record to show that the said order has been served on the Applicant and the Applicant has been relieved. The said order has not been yet implemented and executed.

9. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

10. In view thereof, the impugned order is stayed till next date.

11. Issue notices to the respondents returnable on 01.08.2019.

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

13. 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.

14. 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.

15. 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.

16. 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.

17. S.O. to 01.08.2019.

18. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.594 OF 2019
CAVEAT NO.56/2019 TO 60/2019**

(Dr. Nirmala B. Dhanwade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and she had submitted her choice of places for transfer. But without considering her choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, she has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. Learned C.P.O. for the Respondents has further submitted that the Applicant has been relieved from his present posting today in afternoon session and therefore, the impugned transfer order cannot be stayed, as it had been executed.

6. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the

recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board. Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

7. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

8. The document on record shows that the Chief Executive Officer, Zilla Parishad, Ahmednagar issued relieving order of LDO today i.e. on 8.7.2019 during the pendency of the present Original Application, but there is nothing on record to show that the said order has been served on the Applicant and the Applicant has been relieved. The said order has not been yet implemented and executed.

9. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

10. In view thereof, the impugned order is stayed till next date.

11. Issue notices to the respondents returnable on 01.08.2019.

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

13. 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.

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16. 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.

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VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.595 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Mahesh B. Bhalerao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of places for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. Learned C.P.O. for the Respondents has further submitted that the Applicant has been relieved from his present posting today in afternoon session and therefore, the impugned transfer order cannot be stayed, as it had been executed.

6. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the

recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board. Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

7. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

8. The document on record shows that the Chief Executive Officer, Zilla Parishad, Ahmednagar issued relieving order of LDO today i.e. on 8.7.2019 during the pendency of the present Original Application, but there is nothing on record to show that the said order has been served on the Applicant and the Applicant has been relieved. The said order has not been yet implemented and executed.

9. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

10. In view thereof, the impugned order is stayed till next date.

11. Issue notices to the respondents returnable on 01.08.2019.

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17. S.O. to 01.08.2019.

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VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.597 OF 2019
CAVEAT NO.56/2019 TO 60/2019**

(Dr. Manojkumar D. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of place for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. Learned C.P.O. for the Respondents has further submitted that the Applicant has been relieved from his present posting today in afternoon session and therefore, the impugned transfer order cannot be stayed, as it had been executed.

6. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the

recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board. Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

7. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

8. The document on record shows that the Chief Executive Officer, Zilla Parishad, Ahmednagar issued relieving order of LDO today i.e. on 8.7.2019 during the pendency of the present Original Application, but there is nothing on record to show that the said order has been served on the Applicant and the Applicant has been relieved. The said order has not been yet implemented and executed.

9. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

10. In view thereof, the impugned order is stayed till next date.

11. Issue notices to the respondents returnable on 01.08.2019.

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

13. 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.

14. 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.

15. 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.

16. 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.

17. S.O. to 01.08.2019.

18. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.601 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Jagdish S. Khedkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. She has submitted that the Applicant was due for transfer and he had submitted his choice of place for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. She has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. She has submitted that the Applicant has not yet relieved and therefore, she has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. Learned C.P.O. for the Respondents has further submitted that the Applicant has been relieved from his present posting today in afternoon session and therefore, the impugned transfer order cannot be stayed, as it had been executed.

6. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the

recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board. Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

7. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

8. The document on record shows that the Chief Executive Officer, Zilla Parishad, Ahmednagar issued relieving order of LDO today i.e. on 8.7.2019 during the pendency of the present Original Application, but there is nothing on record to show that the said order has been served on the Applicant and the Applicant has been relieved. The said order has not been yet implemented and executed.

9. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

10. In view thereof, the impugned order is stayed till next date.

11. Issue notices to the respondents returnable on 01.08.2019.

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

13. 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.

14. 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.

15. 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.

16. 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.

17. S.O. to 01.08.2019.

18. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.589 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Vijay N. Katkade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of place for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board.

Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

8. In view thereof, the impugned order is stayed till next date.

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 01.08.2019.

16. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO.590 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Milind T. Dubewar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of places for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board.

Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

8. In view thereof, the impugned order is stayed till next date.

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 01.08.2019.

16. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.592 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Veena R. Garje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and she had submitted her choice of places for transfer. But without considering her choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, she has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board.

Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

8. In view thereof, the impugned order is stayed till next date.

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 01.08.2019.

16. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO.596 OF 2019
CAVEAT NO.56/2019 TO 60/2019**

(Dr. Shashikant C. Karkhele V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of places for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board.

Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

8. In view thereof, the impugned order is stayed till next date.

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 01.08.2019.

16. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.598 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Madhav M. Lokade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of places for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board.

Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

8. In view thereof, the impugned order is stayed till next date.

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 01.08.2019.

16. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO.599 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Vasant M. Garudkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of place for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board.

Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

8. In view thereof, the impugned order is stayed till next date.

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 01.08.2019.

16. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.600 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Rajendra D. Bhangare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

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. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. She has submitted that the Applicant was due for transfer and he had submitted his choice of place for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. She has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. She has submitted that the Applicant has not yet relieved and therefore, she has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board.

Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

8. In view thereof, the impugned order is stayed till next date.

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 01.08.2019.

16. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.604 OF 2019
CAVEAT NO.56/2019 TO 60/2019
(Dr. Vijay R. Dhimate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

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

2. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. She has submitted that the Applicant was due for transfer and he had submitted his choice of place for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. She has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July, which is against the provision of the Transfer Act,

2005. She has submitted that the Applicant has not yet relieved and therefore, she has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. On perusal of documents on record, it reveals that initially the Competent Authority had effected general transfers of LDOs in the State on 31.05.2019, but the said orders had been stayed by the Government. Thereafter, those orders came to be cancelled. The Competent Authority issued fresh transfer orders dated 04.07.2019, which are under challenge. Prima facie, it seems that the recommendations of the Civil Services Board are not considered while issuing the impugned transfer orders. There is nothing on record to show that the reasons in writing have been recorded by the Competent Authority while rejecting the recommendations of the Civil Services Board.

Mass transfer has been effected in the month of July, 2019. The impugned transfer order shows that the said transfer is general transfers. Section 4(4) of the Transfer Act 2005 provides that general transfer may be made in the months of April/May. Prima-facie the impugned order is in contravention of the provision of Section 4(4) of Transfer Act, 2005.

6. In these circumstances, in my opinion, the Applicant has made out a strong case for grant of interim relief.

7. In these circumstances, in my opinion, it is just and proper to stay the operation and execution of the impugned order of transfer.

8. In view thereof, the impugned order is stayed till next date.

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 01.08.2019.

16. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO.591 OF 2019 WITH
CAVEAT NO.56/2019 TO 60/2019
(Dr. Babynanda B. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the Applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondent Nos.1 to 3 and Shri M.B. Kolpe, learned Advocate for the Respondent No.4.

2. The Applicant has challenged the impugned transfer order dated 4.7.2019.

3. Learned Advocate for the Applicant has submitted that nearly 484 Live Stock Development Officers in the State have been transferred by the five different transfer orders. He has submitted that the Applicant was due for transfer and he had submitted his choice of places for transfer. But without considering his choice, the impugned order of general transfer has been issued that too in the month of July, 2019. He has submitted that in view of provision of Section 4(4) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short Transfer Act,2005), General Transfer has to be made in the month of April and May only. But the mass transfers have been made in the month of July,

which is against the provision of the Transfer Act, 2005. He has submitted that the Applicant has not yet relieved and therefore, he has prayed to grant interim relief against the execution and implementations of the impugned transfer order.

4. Learned C.P.O. for the Respondents has submitted that the impugned order has been issued by the Competent Authority by obtaining approval from the next/higher Competent transferring Authority as required under Section 4(4) and 4(5) of the Transfer Act, 2005 and there is not illegality in the impugned transfer order. He has submitted that the Applicant was due for transfer and therefore, he has been transferred on administrative ground. Therefore, he has prayed to reject the interim relief as prayed for by the applicant.

5. Learned C.P.O. and learned Advocate for the Respondent No.4 has submitted that the Applicant has already been relieved from his earlier posting and the Respondent No.4 has joined the said post on 06.07.2019.

6. Since the Applicant has been relieved from his earlier post and the impugned order has been implemented, no question of grant of interim relief arises. Hence, the request of the Applicant for grant of interim relief is hereby rejected.

7. Issue notices to the respondents, returnable on 01.08.2019.

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

9. 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.

10. 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.

11. 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. Applicants are directed to file affidavit of compliance and notice.

12. 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.

13. S.O. to 01.08.2019.

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O.A. No. 591 of 2019

14. Steno copy and hamdast allowed for the use of both the sides.

VICE CHAIRMAN

SAS ORAL ORDER 8.7.2019 bpp

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

**ORIGINAL APPLICATION NO.371 OF 2019
(Shri Shrimant H. Darade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Heard Shri S.D, Munde, learned Advocate for the
Applicant and Smt. Priya R. Bharaswadkar, learned
Presenting Officer for the Respondents.

2. At the request of the learned P.O. for the
Respondents, S.O. to 10.07.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**ORIGINAL APPLICATION NO.384 OF 2019
(Shri Vinayak Bhagwat Kapse & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Heard Shri M.B. Kolpe, learned Advocate for the
Applicants and Shri N.U. Yadav, learned Presenting
Officer for the Respondents.

2. At the request of the learned P.O. for the
Respondents, 3.9.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**ORIGINAL APPLICATION NO.409 OF 2019
(Shri Hanumantrao B. Bhongale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Shri Sandeep B. Gorde, learned Advocate for the
Applicant is **absent**.

Heard Shri M.S. Mahajan, learned Chief
Presenting Officer for the Respondents.

2. As none appeared for the Applicant, S.O. to
9.9.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**ORIGINAL APPLICATION NO.705 OF 2018
(Shri Akbar Khan Nadar Khan Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate
holding for Shri A.S. Deshmukh, learned Advocate for
the Applicant and Shri M.S. Mahajan learned Chief
Presenting Officer for the Respondents.

2. Due to paucity of time, S.O. to 19.9.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

ORIGINAL APPLICATION NO.448 OF 2019
(Shri Anil T. Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Shri S.D. Kotkar, learned Advocate for the
Applicants is **absent**.

Heard Shri S.K. Shirse, learned Presenting
Officer for the Respondents.

2. As none appeared for the Applicant, S.O. to
9.9.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**C.P.NO.25 OF 2019 IN O.A.NO.810 OF 2016
(Shri Babu D. Ghute V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

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

DATE : 8.7.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the
Applicant and Shri S.K. Shirse, learned Presenting
Officer for the Respondents.

2. At the request of the learned P.O. for the
Respondents, S.O. to 25.8.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**ORIGINAL APPLICATION NO.40 OF 2018
(Shri Mohd. Rizwan Khan Samad Khan . V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the Applicant, Shri M.P. Gude, learned Presenting Officer for the Respondent No.2 and Shri A.D. Gadekar, learned Advocate for the Respondent No.1.

2. At the request of the learned Advocate for the Applicant, S.O. to 30.07.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**M.A.NO.282 OF 2019 IN O.A.ST.NO.169 OF 2019
(Rajendra B. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the Applicant and Smt. M.S. Patni Presenting Officer for the Respondents.

2. Adjourned to 30.7.2019 for want of time.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**M.A.NO.281 OF 2019 IN O.A.ST.NO.1224 OF 2019
(Dadabhau T. Parte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the Applicant and Shri B.S. Deokar, Presenting Officer for the Respondents.

2. This is an application filed by the Applicant for condonation of delay caused in filing the Original Application.

4. The grounds and reasons contained in M.A. for condonation of delay to be good and sufficient. Hence, delay of 18 days caused in filing of O.A. is condoned.

5. M.A.No.281/2019 is allowed.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**ORIGINAL APPLICATION ST.NO.1224 OF 2019
(Dadabhau T. Parte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the Applicant and Shri B.S. Deokar, Presenting Officer for the Respondents.

2. This O.A. can be disposed of with limited direction to the Respondents that the Applicant's application be decided within four months from today and decision thereon be communicated to the Applicant within 15 days thereafter. There shall be no order as to costs.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the Applicant and Shri V.R. Bhumkar, Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 30.08.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.

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

**ORIGINAL APPLICATION NO.719 OF 2016
(Pandurang M. Chandanshiv V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN

DATE : 8.7.2019

ORAL ORDER :

Shri K.J. Suryawanshi, learned Advocate for the Applicant is **absent**.

Heard Shri S.K. Shirse, Presenting Officer for the Respondent Nos.1 to 3 and Shri V.M. Chate, learned Advocate for the Respondent Nos.4 & 5.

2. Shri V.M. Chate, learned Advocate has filed affidavit-in-reply on behalf of the Respondent Nos.4 & 5. The same is taken on record and copy thereof has been served on the other side.

4. S.O. to 30.8.2019.

CHAIRMAN

SAS ORAL ORDER 8.7.2019 C.