

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION No.473/2018
(Vimal Suryawanshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 09.07.2018

ORAL ORDER :

1. Heard Shri Dhananjay Mane learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.
2. Issue notice to the respondents, returnable on 10-08-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or service proof 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 10-08-2018.

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

CHAIRMAN

YUK ORAL ORDER 09-07-2018 AHJ F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION No.263/2017
(Bhaskar Dinkarrao Meshram V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 09.07.2018

ORAL ORDER :

1. Heard Shri S.D.Dhongde learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant states on instructions from applicant that the purpose of filing the O.A. is accomplished.
3. In view of the statement of the learned Advocate for the applicant O.A. is disposed of as purpose of filing the O.A. is served.
4. There shall be no order as to costs.

CHAIRMAN

YUK ORAL ORDER 09-07-2018 AHJ F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION No.425/2017
(Prasad Fulsingh Chavan & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 09.07.2018

ORAL ORDER :

1. Heard Dr. Swapnil Tawshikar learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.
2. Both the parties are heard for some time.
3. Learned Advocate for applicant states that he wants to find out on facts as to whether the work of Teaching done by both applicants was of one and the same subject and for that purpose he wants to secure few documents.
4. Learned Advocate for the applicant prays for two weeks' time. Time is granted.
5. S.O.to 02-08-2018.
6. Interim relief granted earlier to continue till then.

CHAIRMAN

YUK ORAL ORDER 09-07-2018 AHJ F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
M.A.No.219/2018 IN O.A.No.365/2018
(Mahatmaji Manikrao More V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 09.07.2018

ORAL ORDER :

1. Heard Shri Sandip Swami Chakurkar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.
2. This M.A. has been filed for restoration of O.A.No.365/2018 to its original stage.
3. For the reasons stated by the applicant, M.A. for restoration of O.A. is allowed and disposed of accordingly without any order as to costs.
4. O.A.No.365/2018 is restored to its original stage.

CHAIRMAN

YUK ORAL ORDER 09-07-2018 AHJ F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.365/2018
(Mahatmaji Manikrao More V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 09.07.2018

ORAL ORDER :

1. Heard Shri Sandip Swami Chakurkar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.
2. Issue fresh notice to the respondents, returnable on 30-08-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or service proof 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 30-08-2018.

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

CHAIRMAN

YUK ORAL ORDER 09-07-2018 AHJ F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION No.482/2018
(Vijay Shankat Tak V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 09.07.2018

ORAL ORDER :

1. Heard Shri S.D.Dhongde learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.
2. Learned P.O. states on instructions from the Joint Director, Technical Education, Aurangabad that the proposal and file for finalization of seniority list would be furnished before Government within 2 weeks.
3. Learned P.O. is directed to secure instructions from the Secretary, Technical Education Department as to time frame within which the seniority list of the cadre claimed by applicant would be finalized.
4. Learned P.O. is directed to communicate this order to the concerned respondents.
5. Steno copy and hamdust is allowed to both the parties.
6. S.O.to 06-08-2018.

CHAIRMAN

YUK ORAL ORDER 09-07-2018 AHJ F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION No.203/2017
(Shamrao Wagatkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 09.07.2018

ORAL ORDER :

1. Heard Shri S.D.Dhongde learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant prays for permission to file fresh synopsis. Permission is granted.
3. S.O.to 06-08-2018.

YUK ORAL ORDER 09-07-2018 AHJ F

CHAIRMAN

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

**ORIGINAL APPLICATION NO. 364 OF 2018
(Shri Balu B. Hile V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

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

2. The present Original Application is disposed of as not pressed in view of the Divisional Commissioner's order passed on 06.07.2018.

3. There shall be no order as to costs.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**ORIGINAL APPLICATION NO. 23 OF 2017
(Shri Bandu B. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Learned Presenting Officer states that:-

(a) The reply answering the query raised by this Tribunal in the order dated 08.06.2018 drafted by the department is received.

(b) Presenting Officer wants to verify as to whether the reply is in order i.e. satisfactory.

(c) The affidavit would be filed, in case the cents are in order, it would be filed.

(d) Therefore, a weeks' time may be granted.

3. In view of the request of learned Presenting Officer, S.O. to 24.07.2018.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**ORIGINAL APPLICATION NO. 690 OF 2017
(Shri Datta A. Tumram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

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

2. Learned Chief Presenting Officer prays for a weeks' time to respond to the query raised by this Tribunal in the order dated 05.07.2018. It is hoped that, if corrective action/measures need to be taken, those may be taken before the next date.

3. S.O. to 06.08.2018.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**ORIGINAL APPLICATION NO. 296 OF 2018
(Shri Vishwanath S. Patole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

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

2. On last date the learned Presenting Officer was orally directed to take instructions as to whether:-

(a) Three posts of Tutor are still vacant at Ahmednagar.

(b) Whether rule that more than 30% of cadre strength transferred should not be done is adhered to.

2. Learned Presenting Officer prays for time.

3. The Director of Health Services, Mumbai is directed to take review of his action within the period of 10 days from today in the light of points noted in foregoing paragraph No. 1 and to take corrective action, if necessary.

4. S.O. to 24.07.2018.

5. Learned Presenting Officer is directed to communicate this order to the concerned respondents.

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

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**M.A. No. 218/2018 in O.A. No. 305/2018
(Smt. Aruna S. Bhingardive & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

Heard Shri S.R. Shirsath, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Accepting the reasons and grounds contended in the M.A. No. 218/2018, the same is allowed and O.A. No. 305/2018 is restored to its original file.

3. Accordingly, M.A. No. 218/2018 stands disposed of with no order as to costs.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**ORIGINAL APPLICATION NO. 305 OF 2018
(Smt. Aruna S. Bhingardive & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

Heard Shri S.R. Shirsath, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Issue fresh notices to the respondents, returnable on 30.08.2018.

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

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

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

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

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Reply be filed on or before 30-08-2018.
9. S.O. 30-08-2018.
10. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**M.A. No. 209/2018 in M.A. No. 487/2017 in O.A. St. No. 1843/2017
(Shri Gangadhar L. Kamble & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

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

2. Accepting the reasons and grounds contended in the M.A. No. 209/2018, the same is allowed and M.A. No. 487/2017 is restored to its original file.

3. Accordingly, M.A. No. 209/2018 stands disposed of with no order as to costs.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**M.A. No. 487/2017 in O.A. St. No. 1843/2017
(Shri Gangadhar L. Kamble & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

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

2. Accepting the grounds and reasons offered by the applicant towards the delay caused in filing of accompanying O.A., the delay is condoned. M.A. No. 487/2017 is allowed.

3. Accordingly, M.A. No. 487/2017 is disposed of without any order as to costs.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**ORIGINAL APPLICATION ST. NO. 1843 OF 2017
(Shri Gangadhar L. Kamble & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

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

2. Issue fresh notices to the respondents, returnable on 30.08.2018.

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

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

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

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

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Reply be filed on or before 30-08-2018.
9. S.O. 30-08-2018.
10. Steno copy and hamdust is allowed to both the sides.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

**M.A. No. 220/2018 in O.A. No. 306/2018
(Shri Maruti H. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H. JOSHI, CHAIRMAN.

DATE : 09.07.2018.

ORAL ORDER :

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

2. Accepting the grounds and reasons contained in the M.A. No. 220/2018 for leave to amend the O.A. is granted.

3. The applicant shall carry out the necessary amendment. Copy of amended O.A. be served on the respondents.

4. Accordingly, M.A. No. 220/2018 is disposed of without any order as to costs.

CHAIRMAN

KPB ORAL ORDER 09-07-2018

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

ORIGINAL APPLICATION NO. 374 OF 2015

[Shri Appasaheb B. Shinde Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 09.07.2018.

ORAL ORDER :

1. Shri M.V. Salunke, learned Advocate for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, present.
2. Learned Presenting Officer seeks time for compliance of the earlier order dated 19.06.2018. At his request, S.O. to 24th July, 2018 as a last chance.
3. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 09.07.2018-HDD

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

ORIGINAL APPLICATION NO. 472 OF 2018

[Shri Kishor G. Lalsare Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 09.07.2018.

ORAL ORDER :

1. Heard Shri K.B. Jadhav, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 21st August, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

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

8. S.O. to 21st August, 2018.

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

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 44 OF 2015

[Sow. Sulbha A. Dnyate Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 09.07.2018.

ORAL ORDER :

1. Mrs. S.J. Kulkarni, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. In view of absence of learned Advocate for the applicant, S.O. to 19th July, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 09.07.2018-HDD

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

ORIGINAL APPLICATION NO. 237 OF 2013

[Kaveri V. Chavan Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 09.07.2018.

ORAL ORDER :

1. Heard Shri P.G. Gunale, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 4. None appears for respondent Nos. 5 & 6.

2. At the request of learned Advocate for the applicant, S.O. to 6th August, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 09.07.2018-HDD

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

ORIGINAL APPLICATION NO. 590 OF 2013

[Kaveri V. Chavan Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 09.07.2018.

ORAL ORDER :

1. Heard Shri P.G. Gunale, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 5, Shri S.K. Mathpati, learned Advocate for respondent No. 6 and Shri K.G. Salunke, learned Advocate for respondent Nos. 7 & 8.
2. Learned Advocate Shri S.K. Mathpati for respondent No. 6, as well as, learned Advocate Shri K.G. Salunke, for respondent Nos. 7 & 8 both seek liberty to file affidavit in reply.
3. Liberty to both the Advocates is granted to file affidavit in reply.
4. In the meantime learned Advocates for the respective respondents to file affidavit in reply, the office of this Tribunal shall accept the same. Both the learned Advocates are directed to serve the copies of the affidavits in reply on the other side.
5. S.O. to 30th July, 2018.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 22 OF 2015

[Sow. Chhaya P. Kamble Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 09.07.2018.

ORAL ORDER :

1. Shri R.K. Ashtekar, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.
2. The record shows that the applicant or his Advocate is not appearing since long.
3. Learned Presenting Officer submits that initiation of departmental enquiry of the year 2015 is challenged by the applicant in the present Original Application. No interim relief was granted in favour of the applicant and, therefore, there is no force in the present Original Application.
4. However, in view of the absence of the applicant and his Advocate, without going into the merits of the present case, the same is dismissed in default. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 09.07.2018-HDD

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

ORIGINAL APPLICATION NO. 35 OF 2015

[Shri Ganesh J. Anmod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 09.07.2018.

ORAL ORDER :

1. Heard Shri Y.K. Kanade, learned Advocate holding for Shri Hemant Surve, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 20th July, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 09.07.2018-HDD

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

**T.A. NO. 01/2018 IN W.P. NO. 15249/2017
(Chanda R. Hingole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. The present matter is transferred from Hon'ble High Court and notices to the respondents are already issued therein.

3. Learned C.P.O. seeks time to take instructions from the respondents. At his request, S.O. to 12.7.2018 for taking instructions from the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 9-7-2018

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

**ORIGINAL APPLICATION NO. 458/2018
(Anita B. Kolgane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 27.8.2018.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within seven days or service report on affidavit is not

filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 27.08.2018.

9. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 480/2018
(Balasaheb J. Salgar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 8.8.2018.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within seven days or service report on affidavit is not

filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. By way of interim relief, it is hereby directed that, one post of Assistant Motor Vehicle Inspector from the Open Ex-serviceman category shall be kept vacant until further orders.

9. S.O. to 08.08.2018.

10. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 485 & 486/2018
(Dr. Mahesh B. Phad & Amarsingh R. Hazari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicants in both the matters and Shri D.R. Patil & Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents in respective matters.

2. Learned Advocate for the applicants makes a statement that on the website of res. no. 3 – the Member Secretary, Selection Board, Medical Education & Drugs Department, Mumbai – or anywhere, the res. no. 3 has not clarified anything regarding the cutoff of marks for qualifying the candidate for consideration to the post.

3. In the above circumstances, issue notice before admission to the respondents, returnable on 20.8.2018.

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

5. 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 respective O.As. Respondents are put to notice that the cases would be taken up for final disposal at the stage of admission hearing.

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

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

9. Without filing any detailed affidavit in reply, the res. no. 3 is directed to file short affidavit explaining the reasons for non consideration of the applicant in O.A. no.

485/2018 (Dr. Mahesh Bhanudasrao Phad) from N.T.-D category though in the merit list (page 28) it is mentioned that the said applicant is qualified for selection from V.J.N.T. interchangeability / Open category

A N D

the reasons for non consideration of the applicant in O.A. no. 486/2018 (Shri Amarsingh Rajabalisingh Hazari) from D.T. (A) / V.J. (A) category though in the merit list (page 31) it is mentioned that the said applicant is qualified for selection from V.J.N.T. interchangeability / Open category.

10. By way of interim relief it is hereby directed that appointment, if any, made that shall be subject to final outcome of both these O.As.

11. S.O. to 20.08.2018.

12. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. NO. 563/2014
(Tushar B. Rajput V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

Heard Shri Tushar B. Rajput, applicant in person and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned P.O. S.O. to 14.8.2018 for filing affidavit in reply of added respondents

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 9-7-2018

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

**MA 221/2018 IN OA ST. 1110/18 WITH CAVEAT NOS. 64 TO 70/18
(Dashrath G. Bhure & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants, Shri M.P. Gude, learned Presenting Officer for the respondent and Shri R.N. Bharaswadkar, learned Advocate for caveators.

2. The learned Advocate for the applicants undertakes to supply copy of present O.A. to the learned Advocate for the caveators.

3. Learned Advocates for the present applicants & caveators submit that some of the caveators have already filed O.As. bearing nos. 41 to 46 & 54 to 56/2018 in this Tribunal and the same are fixed on 7.8.2018. In the circumstances, the present matter also be placed on board on 7.8.2018 along with the said O.As.

3. In view of the fact that the present applicants are reverted by the impugned decision dtd. 22.6.2018 (Annex. A.7 page 68 of O.A.), by way of interim relief the operation and execution of the said order is hereby stayed, till next date.

MEMBER (A)

VICE CHAIRMAN

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

O.A. NOS. 931/2016 WITH O.A. NO. 930/2016
(Chudaman D. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 9.7.2018

ORAL ORDER :

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

2. Learned P.O. submits that the Officer of C.P.O. has certain problems regarding files. It is to be noted that on 10.4.2018 similar problem was also disclosed and a adjournment was sought. In the circumstances, as a last chance, S.O. to 17.7.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 9-7-2018

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

**T.A. NO. 05/2017 IN W.P. NO. 6554/2017
(Swati V. Biradar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time. It is to be noted that on earlier dates similar request was made. In the circumstances, as a last chance, at the request of learned Advocate for the applicant, S.O. to 24.7.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. NO. 12/2017
(Babu G. Kapale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent no. 1 and Shri G.N. Patil, learned Advocate for respondent nos. 2 & 3.

2. Learned Advocate for the applicant in response to query raised by the Tribunal vide order dtd. 19.4.2018 submits that, in the present case the issue for consideration is not regarding grant of promotion, but it is for grant of equal pay for equal work scheme, which was implemented by the respondents excluding the present applicant.

3. In view of above, the present O.A. is hereby admitted. Learned P.O. for res. no. 1 & learned Advocate for res. nos. 2 & 3 waive notice of admission for the respective respondents.

4. The present matter be placed on board for final hearing in due course of time.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 486/2017
(Vijeta M. Ade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

Heard Shri S.G. Magare, learned Advocate holding for Shri M.D. Godhamgaonkar, 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 13.8.2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 9-7-2018

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

**O.A. NOS. 623, 624, 634/2017 WITH O.A. 135/2018
(Smt. Priti T. Waghmare & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicants, as a last chance, S.O. to 13.7.2018 for hearing, as interim relief is running against the respondents.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 688/2017
(Dr. Baliram R. Pandve & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. Learned Advocate, on instructions from the applicant, submits that the present applicant wants to withdraw the present O.A.

3. In the circumstances, the present O.A. is disposed of as withdrawn without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. NO. 693/2017
(Yogesh S. Mulay V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

Heard Shri C.R. Thorat, learned Advocate holding for Shri A.S. Khedkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned P.O. seeks time for filing short affidavit of the concerned respondent along with documents as directed by the order dtd. 17.4.2018. It is to be noted that, earlier also one chance was granted by the Tribunal therefor. In the circumstances, as a last chance, S.O. to 30.7.2018 for compliance on the line of order dtd. 17.4.2018. It is also made clear that, in case the said order is not complied with by the next date, the Tribunal would be constrained to call the responsible Officer before this Tribunal and / or to impose heavy costs on the said authority.

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

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 183/2018
(Karuna N. Bhujang V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

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 7.8.2018 for filing affidavit in reply.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 184/2018
(Swamidas V. Chobe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

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. At the request of learned C.P.O., S.O. to 12.7.2018 for hearing on grant of interim relief, if any.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 223/2018
(Madhav V. Kale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. In response to the order dtd. 16.4.2018 learned Advocate for the applicant has filed on record true copy of order passed by the Tribunal at Mumbai in O.A. nos. 327, 328 & 329/2015 dtd. 28.3.2016, which has bearing on the present matter. It is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned C.P.O. At the request of learned C.P.O. S.O. to 27.7.2018 for hearing on the above line.

MEMBER (A)

ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 244/2018
(Ravi H. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. At the request of learned C.P.O., S.O. to 20.8.2018 for filing affidavit in reply.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 190/2018
(Sunil S. Ingle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. Learned Advocate, on instructions from the applicant, submits that the applicant does not wish to proceed further in the present O.A. and, therefore, permission be granted him to withdraw the present O.A. He also submits that a fresh charge sheet is issued to the applicant and, therefore, liberty be granted to the applicant to challenge the same by filing fresh O.A. before this Tribunal.

3. In the circumstances, the present O.A. is disposed of as withdrawn with liberty as prayed for. There shall be no order as to costs.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 50/2015
(Rajendra B. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the
applicant, S.O. to 25.7.2018 for final hearing.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**O.A. NO. 49/2015
(Dattatray G. Zade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the
applicant, S.O. to 17.7.2018 for final hearing.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 19/2018
(Sayyad Asad s/o Sayyad Nizam V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 9.7.2018

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. Admit. Learned C.P.O. waives service of notice upon the respondents. With the consent of both the sides the matter is heard forthwith.

3. The applicant claims following reliefs :-

“(A) This Original Application may kindly be allowed thereby quashing & setting aside the impugned communication dtd. 02.01.2018 (Annex. A-8) sent by the Respondent to the applicant denying his claim for selection & appointment as Police Constable.

“(B) This Original Application may kindly be allowed thereby directing the Respondent to include name of the applicant in the final Select List for the ‘Open’ category on the 5th post earmarked for the ‘Open General’ category.”

5. The present applicant claims appointment to the post of Police Constable from Open General category. It is an admitted fact that

originally 5 posts were advertised for Open category out of which one post was horizontally reserved for woman and ex-serviceman each (page 22). It is also an admitted fact that the posts thereafter were increased to 8.

6. The respondents in para 4 of the affidavit in reply has given following details of selection :-

“4. I say and submit that, as per increased posts in recruitment process total 8 candidates are selected namely:-

Sr. No.	Name	Category	Parallel Reservation	Total Marks
1.	Mukesh Ganesh Durgude	NT-C	--	177
2.	Laxmikant Rajdar Mahajan	OBC	EX-Man	174
3.	Kamlesh Kishor Mahale	OBC	--	174
4.	Vivek Mukunda Mahajan	OBC	--	173
5.	Jagannath Namdev Mali	OBC	EX-Man	172
6.	Avinash Arvinda Sadare	Open	--	172
7.	Renuka Gorakh Bhangude	Open	Women	103
8.	Ruksanabee Sheikh wajir Sheikh	Open	Women	91

I further submit that, Sr. No. 2 Candidate namely Laxmikant Mahajan appointed on 02.09.2016 and joined duty after 4 months training he was resigned on the said post. That, after resignation the said post was vacant but, as per police recruitment procedure/guidelines for the year 2015-2016 clearly mentioned in clause No. 12 निवड यादी व प्रतिक्षा यादी-प्रतिक्षा यादी फक्त त्या भरतीमधील

*निवड झालेला उमेदवार अपात्र ठरल्यास/गेरहजर राहिल्यास लागू होईल. भविष्यात रिक्त होणा-या पदांसाठी सदरची निवड यादी लागू होणार नाही. The copy of recruitment procedure guideline dated 20.01.2016 is annex herewith and marked as **Annexure R-1.***

8. The claim of the present applicant is that since he has secured 151 marks and he was placed at sr. no. 2 in the wait list, he should have been appointed as Mr. Laxmikant Mahajan has resigned after joining the post. Learned Advocate for the applicant alternatively submits that as 5 posts were reserved for Open category for non-horizontally reserved candidates and since only 4 such candidates were appointed, as can be seen from above table, the applicant should have been appointed.

9. Learned C.P.O. points out towards the condition no. 12 of the advertisement, which would show that the candidates from wait list would be appointed only if any selected candidate is found to be disqualified or did not join on the post. He further submits that the candidate in the wait list - Shri Laxmikant Rajdar Mahajan – was appointed on merit and later on found from Ex-serviceman category and, therefore, in view of G.R. dtd. 13.8.2014 (copy placed on record today and marked as document 'X') no posts would be available as there is no such term as above i.e. non-horizontally reserved category. He, therefore, submits that upon selection of the

candidates, number of horizontally reserved category candidates are to be computed from General Open category and if sufficient number of candidates required for horizontal reservation are found from this Open General category, there is no need to add same. According to us the very claim that there is reservation of “non-horizontal category” is basically wrong.

10. In view of above, the present O.A. needs to be dismissed. Accordingly it is hereby dismissed without any order as to costs.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 20/2018
(Rameshwar Daulat Dandge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 9.7.2018

ORAL ORDER :

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

2. The present applicant prays as under :-

“(B) To hold and declare that the applicant is eligible and entitled for the post of “Statistical Assistant” pursuant to the advertisement dated 01/2016 (ANNEXURE A-2) issued by the respondent.

“(C) To direct the respondents authority to issue the appointment order of the post “Statistical Assistant” pursuant to the advertisement dated 01/2016 (ANNEXURE A-2) issued by the respondent.”

3. The present applicant claims that he is eligible for the post, however, though he was called for participation in the selection process, later on his name was deleted.

4. In support of his claim the applicant has filed on record copy of rules namely Assistant Field Officer or Investigator, Research Assistant, Statistical Assistant or Punch Operator in the

Animal Husbandry Department (Recruitment)
Rules, 1986. Rule 5 (1) (b) thereof reads thus :-

“possess a Bachelor’s degree in second class with Mathematics, Economics, Commerce, Biometry or Statistics.”

5. The respondents vide their affidavit in reply and the learned P.O. during the arguments had already pointed out on 8.6.2018 that, these Rules would not be applicable in the present matter as the said Rules are for the posts in the Animal Husbandry Department while the posts advertised in the present matter are by the Fisheries Department. Therefore, specific Rules of Fisheries Department (page 53 of O.A.) would be applicable in the present matter and the relevant rules would show that the candidate should hold Bachelor’s degree in Statistics & Mathematics with papers in Statistics of a recognized University. The present applicant does not hold said qualification. The reliance on the different Rules is irrelevant.

6. In the circumstances, the present O.A. is dismissed without any order as to costs.

MEMBER (A)
ARJ ORAL ORDERS 9-7-2018

VICE CHAIRMAN