

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

**ORIGINAL APPLICATION NO. 153 OF 2018**

[Shri Mukund M. Dhotre & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri Ganesh Jadhav, learned Advocate holding for Shri Avishkar S. Shelke, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer for the respondents has filed a copy of the communication dated 10<sup>th</sup> July, 2018 received to him, which is between the Desk Officer of the Secretariat and Principal Chief Conservator of Forests, Nagpur and the same is taken on record and marked as document 'X' for the purpose of identification. It appears that the respondents are awaiting amendment to the rules without following the existing rules as are found at page No. 64, Annexure 'A-9'. It is to be noted that the issue is already decided by this Tribunal in O.A. No. 660/2011 (Shri Uttam Rodba Turi & Ors. Vs. the State of Maharashtra & Ors.) on 20<sup>th</sup> October, 2016, a copy of which is placed on record at page-72.

3. In the circumstances, the present Original Application is disposed of with a direction to the concerned respondents to follow the directions issued in the aforesaid Original Application No. 660/2011, in the present case also and as per proposed

**O.A. NO. 153 OF 2018**

amendment to Recruitment Rules intended to be notified as per G.R. dated 14<sup>th</sup> January, 2016 (Annexure 'A-15' page-95). The said exercise be carried out within a period of three months.

4. There shall be no order as to costs.

**MEMBER (A)**

ORAL ORDERS11.07.2018-HDD

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 145 OF 2018**

[Shri Maheshkumar L. Kulkarni Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that though this Tribunal vide order dated 12.6.2018 forewarned that in case no affidavit in reply is filed by this date, the issue of grant of interim relief would be considered, there are no instructions from the concerned respondents for filing affidavit in reply. The present Original Application is pending since 13.03.2018 awaiting the affidavit in reply. In the circumstances, both sides are heard on the issue of grant of interim relief.

3. Upon hearing both the sides, it is gathered that the departmental enquiry against the present applicant is pending on the exactly similar charges, those are leveled against him in the criminal cases launched for the offences punishable under Sections 7, 12, 13 (1) (d) r/w 13 (2) of the Prevention of Corruption Act, 1988. In such circumstances, learned Advocate for the applicant submits that if the departmental enquiry is continued, the defence of the present applicant would be prejudiced in the criminal

cases. Therefore, relying on the ratio laid down by the Hon'ble Supreme Court in the case of **STANZEN TOYOGETSU INDIA PVT. LTD. VS. GIRISH V & ORS. reported in 2014 DGLS (SC) 63**, a copy of which is placed on record at page-243 and **STATE BANK OF INDIA AND OTHERS VS. NEELAM NAG reported in 2016 DGLS (SC) 981**, a copy of which is placed on record at page 250, the learned Advocate for the applicant submits that further proceeding in the departmental enquiry may be stayed.

4. Considering all these facts on record, interim relief in terms of prayer clause 'D' is hereby granted, which runs as under :-

***“D) Pending the admission, hearing and final disposal of this Original Application all further proceedings in the Departmental Enquiry initiated against applicant by respondent No. 1 vide Memorandum of Charge dated 12/02/2018 (Annex. A-2 Colly.) may kindly be stayed.”***

5. S.O. to 30<sup>th</sup> August, 2018 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 115 OF 2018**

[Shri Nagnath G. Savant Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 & 2. Shri Ajay Deshpande, learned Advocate for respondent No. 3 has filed leave note.
2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.
3. S.O. to 27<sup>th</sup> August, 2018.

**MEMBER (A)**  
ORAL ORDERS11.07.2018-HDD

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 87 OF 2018**

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

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Smt. Suchita A. Dhongde, learned Advocate for the applicant has filed leave note. Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer has filed a copy of communication dated 9.7.2018 and the same is taken on record and marked as document 'X-1' for the purpose of identification.

3. Learned Presenting Officer in pursuance of the earlier order dated 6.6.2018 submits that the necessary corrections are made in the communication dated 23.05.2018 (document 'X'). She further submits that the bills are now submitted to be Treasury Officer, Jalna.

4. In the circumstances, S.O. to 14<sup>th</sup> August, 2018 for reporting further compliance in view of the above progress.

**MEMBER (A)**  
ORAL ORDERS11.07.2018-HDD

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 80 OF 2018**

[Shri Lokesh S. Phulpagare Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant, on instructions of the applicant, submits that the applicant wishes to withdraw the present Original Application.

3. Allowed to withdraw. Accordingly, the present Original Application is disposed of as withdrawn without any order as to costs.

**MEMBER (A)**  
ORAL ORDERS11.07.2018-HDD

**VICE CHAIRMAN**

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

**C.P.NO. 18/2018 IN O.A.NO. 456/2016**

[Shri Mohd. Imran Khan Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that the review application is filed. Learned Advocate for the applicant points out that this statement is being made time and again and no stay is sought from the learned Member (Judicial) in this regard. In the circumstances, S.O. to 13<sup>th</sup> August, 2018 as a last chance to comply with the order in the O.A., failing circulation for stay or obtaining the same from the same Bench.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS11.07.2018-HDD



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

**C.P.NO. 6/2018 IN O.A.NO. 166/2016**

[Shri Gautam P. Padghane & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri P.D. Suryawanshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed a copy of communication received to him along with the decision. The copy of the same is taken on record and marked as document 'X' for the purpose of identification. Learned Presenting Officer shall supply the copy of the same to the learned Advocate for the applicant.
3. Learned Advocate for the applicant seeks time to go through the aforesaid communication. At his request, S.O. to 13<sup>th</sup> August, 2018 for further hearing.

**MEMBER (A)**  
ORAL ORDERS11.07.2018-HDD

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 845 OF 2017**

[Shri Rambhau L. Kuskar Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that the affidavit in reply of respondent Nos. 6 & 7 are not presently necessary.
3. Learned Advocate for the applicant seeks time to file rejoinder to the affidavit in reply filed on behalf of respondent Nos. 1 to 4. At his request, S.O. to 2<sup>nd</sup> August, 2018 for filing rejoinder.

**MEMBER (A)**  
ORAL ORDERS11.07.2018-HDD

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 799 OF 2017**

[Shri Mangesh S. Vishwasu Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Upon hearing both the sides, it appears that the applicant does not possess qualification regarding the period of experience. Learned Advocate for the applicant further submits that some of the advertised posts are remained vacant and, therefore, he submits that there is a judgment of the Hon'ble Supreme Court in this regard.
3. In the circumstances, at the request of learned Advocate for the applicant, S.O. to 30<sup>th</sup> July, 2018 for final disposal on the above line.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS11.07.2018-HDD

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

**ORIGINAL APPLICATION NO. 487 OF 2017**

[Shri Bhagwanrao J. Nagargoje Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri A.N. Patale, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks time to file application for amendment in view of some subsequent developments. At his request, S.O. to 30<sup>th</sup> July, 2018.
3. In the meantime learned Advocate for the applicant shall file amendment application in the office of this Tribunal

**MEMBER (A)**  
ORAL ORDERS11.07.2018-HDD

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 262 OF 2017**

[Shri Trimbak G. Phasle Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. Upon hearing both the sides, it appears that the arguable case is made out. Hence, admit. Learned Presenting Officer waives notices of admission for the respondents.
3. The present case be placed before the Division Bench in due course of time.

**MEMBER (A)**  
ORAL ORDERS11.07.2018-HDD

**VICE CHAIRMAN**

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

**C.P.ST. No. 973/2018 IN O.A.NO. 740/2015**

[Shri Subhash M. Tandale Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri S.S. Shinde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.
2. Pending office objections, issue notices to the respondents, returnable on 20<sup>th</sup> August, 2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS11.07.2018-HDD

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

**ORIGINAL APPLICATION NO. 491 OF 2018**

[Shri Shivanand T. Taksale Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Smt. Pradnya Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks permission of this Tribunal to file short affidavit.
3. Permission as prayed for by the applicant is hereby granted. The applicant shall file short affidavit in the office of this Tribunal. The applicant shall also correct the paging.
4. After correcting pages, issue notices to the respondents, returnable on 13<sup>th</sup> August, 2018.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents 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

**O.A. NO. 491 OF 2018**

(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 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.

9. 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.

**10. The grant of interim relief is hereby kept open**

**11. Learned Advocate for the applicant is pressing for grant of *ex parte* interim relief.**

**12. Upon putting the query, the learned Advocate for the applicant has submitted that now the applicant is directed by the enquiry officer to attend the enquiry. Since the enquiry is at a primary stage of appearance only, there is no urgency in granting *ex parte* interim relief. Therefore, the prayer to that effect is hereby rejected.**

13. S.O. to 13<sup>th</sup> August, 2018.

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



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

**ORIGINAL APPLICATION NO. 492 OF 2018**

[Shri Arun R. Pawar Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri Atul P. Shejul, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 20<sup>th</sup> 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.

**O.A. NO. 492 OF 2018**

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. Without filing any detailed affidavit in reply, the respondents are directed to explain as to whether the original sports certificate and its verification is submitted to the respondent No. 2, as the learned Advocate for the applicant makes a statement at bar that the original sports certificate and its verification was already submitted as has been pleaded in paragraph No. 5 of the O.A.**

9. S.O. to 20<sup>th</sup> August, 2018.

10. 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**

**M.A.NO. 222/2018 IN O.A.ST.NO. 1092/2018**

[Shri Bansi S. Kuber & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri Atul P. Shejul, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief 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.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS11.07.2018-HDD

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

**ORIGINAL APPLICATION ST. NO. 1092 OF 2018**

[Shri Bansi S. Kuber & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri Atul P. Shejul, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 20<sup>th</sup> 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.

**O.A. ST. NO. 1092 OF 2018**

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. Without filing any detailed affidavit in reply, the respondents are directed to explain as to whether the original sports certificate and its verification is submitted to the respondent No. 2, as the learned Advocate for the applicant makes a statement at bar that the original sports certificate and its verification was already submitted as has been pleaded in paragraph No. 5 of the O.A.**

9. S.O. to 20<sup>th</sup> August, 2018.

10. 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. 893 OF 2016**

[Shri Vijay N. Chavan Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.07.2018.**

**ORAL ORDER :**

1. Heard Shri Sunil Jadhav, learned Advocate holding for Shri B.G. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. At the request of learned Advocate for the applicant, S.O. to 1<sup>st</sup> August, 2018.

**MEMBER (A)**

ORAL ORDERS11.07.2018-HDD

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

**M.A. No. 229/2018 in O.A No. 346 OF 2018  
(Smt. Vandana B. Koli V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Advocate for the applicant seeks leave of this Tribunal to amend the address of respondent No. 4.

4. Leave as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment within a period of one week.

5. Upon making the said amendment, issue notice to the respondent No. 4 on the amended address, returnable on 07.08.2018.

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

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M.A. 229/2018 in  
O.A. 346/2018

7. 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.

8. 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.

9. 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.

10. 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.

11. S.O. 07-08-2018.

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

**VICE CHAIRMAN**



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

**ORIGINAL APPLICATION NO. 347 OF 2018  
(Shri Anil Y. Thombre V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 25.07.2018 for filing rejoinder affidavit, if any or for hearing.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 340 OF 2018  
(Dr. Satish A. Bodade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 13.08.2018 for filing affidavit in reply.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 419 OF 2018 WITH CAVEAT ST. NO. 786/2018  
(Shri Rajendra P. Bagade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**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 respondents.

2. At the request of learned Advocate for the applicant, S.O. to 12.07.2018.

**VICE CHAIRMAN**

KPB ORAL ORDER 10-07-2018

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

**ORIGINAL APPLICATION NO. 161 OF 2018  
(Shri Deepak D. Salunke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri C.V. Bodkhe, learned Advocate holding for Shri R.V. Gore, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 4 and Shri R.D. Khadap, learned Advocate holding for Shri M.S. Kharat, learned Advocate for respondent No. 5.

2. S.O. to 16.07.2018 for filing affidavit in reply of respondent No. 5 and also for hearing.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 934 OF 2017  
(Shri Vaibhav R. Rajput V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri C.V. Bodkhe, learned Advocate holding for Shri R.V. Gore, 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 16.08.2018.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION ST. NO. 124 OF 2018  
(Shri Narayan R. Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri Amarjeet Patil, learned Advocate holding for Shri R.V. Bangar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to file application for condonation of delay. The time was granted also on previous date.

3. In the circumstances, the present matter be removed from board and it may be circulated as and when the application for condonation of delay would be filed or the office is directed to place the present matter on board for dismissal, in case the M.A. is not filed as per the rules.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 465 OF 2018  
(Shri Ramrao K. Pallewad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. On instructions, the learned Advocate for the applicant has submitted that the applicant does not wish to proceed with the present O.A. and wants to withdraw the same.

3. Withdrawal is allowed.

4. Accordingly, the Original Application is disposed of as withdrawn without any order as to costs.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 489 OF 2018  
(Shri Shyamsundar S. Mhetre V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks time to go through the relevant rules to justify the prayer made in the O.A.

3. It appears that without filing an application for Earned Leave, the present applicant is claiming that the Earned Leave should have been granted in place of Extraordinary Leave for his absence on duty.

4. At his request, S.O. to 18.07.2018 for satisfying the above query.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018



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

**ORIGINAL APPLICATION NO. 495 OF 2018  
(Shri Malsing V. Pawara V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 14.08.2018.

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 14-08-2018.

9. S.O. 14-08-2018.

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

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 497 OF 2018  
(Shri Deepak E. Shete V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 01.08.2018.

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 01-08-2018.

9. S.O. 01-08-2018.

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

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**M.A. St. No. 497/2018 in O.A. St. No. 498/2018  
(Shri Arjun M. Maskar & Anr. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks time to file application for condonation of delay. Time granted.

3. In the circumstances, the present matter be removed from board. The office is directed to deal with the case according to rule and procedure.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 912 OF 2017  
(Shri Balaji P. Gaikwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondent 1 to 3 and Shri M.S. Shaikh, learned Advocate holding for Shri S.S. Deshmukh, learned Advocate for respondent No. 5. Shri S.R. Yadav(Lonikar), learned Advocate for respondent No. 4, **absent**.

2. Learned Advocate for respondent No. 5 seeks time to file affidavit in reply. Time granted.

3. S.O. to 06.08.2018.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 920 OF 2017  
(Shri Prakash B. Gaganbone V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Shri P.B. Rakhunde, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 20.08.2018.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 922 OF 2017  
(Shri Pandurang R. Chinchale V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 & 4 and Shri D.T. Devane, learned Advcoate for respondent Nos. 2 & 3.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1. Same is taken on record and the copy thereof has been served on the other side.

3. Learned Advocate for respondent Nos. 2 & 3 has filed affidavit in reply. Same is taken on record and the copy thereof has been served on the other side.

4. S.O. to 06.08.2018 for hearing.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018



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

**ORIGINAL APPLICATION NO. 187 OF 2018  
(Shri Mukesh K. Gunjal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned Advocate for the applicant and Shri B.S. Devkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 19.07.2018 for filing rejoinder affidavit.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 344 OF 2018  
(Shri Dinkar S. Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 25.07.2018 for filing affidavit in reply. Status quo granted earlier to continue till then.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 341 OF 2018  
(Shri Suyash A. Nikam V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the service affidavit is already filed. However, the acknowledgments regarding the service of notices are awaited and on receipt of the same, it would be filed in the office.

3. S.O. to 24.07.2018.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**M.A. No. 199/2018 in O.A No. 40 OF 2017  
(Shri Mohd. Rizwan Khan Samad Khan V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks leave of this Tribunal to correct the address of respondent No. 2.

3. Leave as prayed for by the applicant is granted. The applicant shall correct the address of respondent No. 2 forthwith.

4. Upon correction, issue notice to the respondent No. 2 in M.A., returnable on 26.07.2018.

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

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

//2//

M.A. 199/2018 in  
O.A. 40/2017

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. 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.

10. S.O. 26-07-2018.

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

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**M.A. No. 227/2018 in O.A. No. 339/2018  
(Shri Shrikrushna M. Kulkarni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri V.Y. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The present Misc. Application has been filed by the applicant for restoration of O.A. No. 339/2018.

3. For the reasons stated in the present Misc. Application, the same is allowed and disposed of without any order as to costs and the O.A. No. 339/2018 is restored to its original file.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**O.A. No. 339/2018  
(Shri Shrikrushna M. Kulkarni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri V.Y. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that in fact the notices were served in the O.A. and only service affidavit remained to be filed.

3. In the circumstances, the matter be placed for further orders on 23.07.2018 and the status quo granted earlier on 05.06.2018 to continue till then.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**M.A. No. 228/2018 in O.A. No. 342/2018  
(Shri Sanjay K. Barote V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri V.Y. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The present Misc. Application has been filed by the applicant for restoration of O.A. No. 342/2018.

3. For the reasons stated in the present Misc. Application, the same is allowed and disposed of without any order as to costs and the O.A. No. 342/2018 is restored to its original file.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018



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

**O.A. No. 342/2018  
(Shri Shrikrushna M. Kulkarni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Shri V.Y. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that in fact the notices were served in the O.A. and only service affidavit remained to be filed.

3. In the circumstances, the matter be placed for further orders on 23.07.2018.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 70 OF 2018  
(Shri Dadabhau T. Parte V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 11.07.2018.**

**ORAL ORDER :**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Without going in to the merit of the case as to whether the present applicant is suffering minor punishment on the proved ground, this Original Application can be disposed of simply on the ground that the respondent No. 3 i.e. the Superintendent of Police, Parbhani is not the disciplinary authority for the present applicant who is and was the Assistant Police Inspector during the relevant period.

3. Schedule-I of Rule 5 of the Bombay Police (Punishment and Appeals) Rules, 1956, would show that Superintendent of Police is the disciplinary authority for Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables. The applicant is admittedly a Assistant Police Inspector and therefore, the Deputy Inspector General of Police would be the disciplinary authority for the applicant.

4. On the above sole ground, the present Original Application is allowed without any order as to costs and the impugned punishment imposed by the respondent No. 3 vide order dated 17.11.2016, Annexure A-10, page no. 47 is hereby quash and set aside. The respondent No. 1 or the competent authority would be at liberty to take fresh action, if any according to rules.

**VICE CHAIRMAN**

KPB ORAL ORDER 11-07-2018

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

**ORIGINAL APPLICATION NO. 260/2018  
(Arjun V. Sontakke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 of the respondents.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 11-7-2018

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

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

2. Learned P.O. seeks time to file affidavit in reply. It appears that the res. nos. 3 to 9, though duly served on 9.5.2018, have not appeared in the present matter and have also not filed their affidavit in replies, though in the meantime the present O.A. was adjourned on 2 occasions. Learned Advocate for the applicant submits that while issuing the notices to the respondents on 3.5.2018, the issue of grant of interim relief was kept open by the Tribunal. He, therefore, prays for grant of interim relief in favour of the applicant.

3. The pleadings of the O.A. and more particularly in para 23 would show that, the res. nos. 3 to 9 does not belong to Ex-servicemen category. The res. no. 2 – the M.P.S.C. – till this date has not filed affidavit explaining the above fact and the O.A. was

adjourned therefor. As already pointed out, the res. nos. 3 to 9 failed to appear in the present matter and counter submissions of the applicant.

**4. In the circumstances by way of interim relief it is hereby directed that until further orders the res. no. 1 - the State Government - shall not issue appointment order to res. nos. 3 to 9.**

5. Hence, S.O. to 27.8.2018 for filing affidavit in reply by the res. nos. 1 & 2.

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

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A. 358/2014 IN O.A. ST. 1184/2014  
(Dr. Gangadhar D. Chate V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

Heard Shri S.V. Munde, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3 and Shri D.K. Borkar, learned Advocate for respondent no. 4.

2. Learned P.O. submits that she had certain oral instructions from the concerned respondents that the General Administration Department has raised certain query regarding the proposal sent to it by the concerned respondents. However, she has no instructions about the date on which the proposal was sent to the G.A.D. Thus, it appears that the concerned respondents are not paying heed to the orders issued by the Tribunal from time to time.

3. In the circumstances, at the request of learned P.O. as a last chance, S.O. to 1.8.2018 for compliance of order of the Tribunal dtd. 20.12.2017, with a precondition that, the concerned respondents shall deposit a cost of Rs. 25,000/- in this Tribunal by Government cheque,

which shall thereafter be recovered personally  
from the concerned responsible authority.

**MEMBER (A)**

**VICE CHAIRMAN**



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

**M.A. 6/2018 IN O.A. ST. 1962/2017  
(Sonelben D. Pawar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

Heard Shri Nitin Kadarale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 to 3.

2. Shri Avinash S. Deshmukh, learned Advocate has filed his V.P. for res. no. 4 in the present M.A. & O.A. It is taken on record. He seeks time to file affidavit in reply of res. no. 4 in the present M.A.

3. Learned P.O. also seeks time to file reply of res. nos. 1 to 3 in the present M.A. In the circumstances, S.O. to 13.8.2018 for filing replies by the respective respondents in the present M.A.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A. 119/2018 IN O.A. 312/2015 WITH CAVEAT 5/2018  
(Pallavi A. Meshram V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant in the present M.A., Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 3, Shri A.S. Deshmukh, learned Advocate for respondent no. 4 and Smt. Sangita Nenwani, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent no. 6. None appears for respondent no. 5.

2. Smt. Nenwani, learned Advocate holding for Shri Talekar, learned Advocate has filed affidavit in reply of res. no. 6 in the present M.A. It is taken on record and copy thereof has been served upon the other side. At the request of learned Advocates for respondent nos. 4 & 6, S.O. to 23.7.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A. 8/2018 IN O.A. 55/2017  
(Narsing R. Thakur V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

Heard Shri P.B. Salunke, 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 of the  
respondents in the present M.A.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 11-7-2018

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

**ORIGINAL APPLICATION NO. 471/2018  
(Raosaheb K. Pangre V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant makes a statement that, in fact, the concerned respondents did not find any candidate, who has completed 90 days as a Seasonal Spraying Worker. In the circumstances, the present matter be placed along with similarly situated other matter i.e. O.A. no. 799/2017 on 30.7.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 474/2018  
(Prashant P. Vaidya V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

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

2. S.O. to 26.7.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 11-7-2018

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

**ORIGINAL APPLICATION NO. 295/2012  
(Dr. Arvind N. Bagate & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

Heard Shri Milind Patil, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, the learned Advocate submits that he would place on record the recommendations of the Pay Commission, if any, along with history of grant of additional compoundable increments to similarly situated employees like the present applicant and in view of this applicant is not getting 6 advance increments. At his request, S.O. to 20.8.2018 for above compliance.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 11-7-2018

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

**ORIGINAL APPLICATION NO. 139/2015  
(Ramkrishna G. Patil & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

None appears for the applicant. Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 30.7.2018 for final hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 11-7-2018

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

**ORIGINAL APPLICATION NO. 146/2015  
(Dulbha D. Dhakne V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate holding for Shri U.B. Bondar, 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 30.7.2018 for final hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 11-7-2018



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

**ORIGINAL APPLICATION NO. 386/2015  
(Rajendra V. Marale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

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

2. Both the sides submit that during the pendency of the present O.A., the applicant is promoted. In the circumstances, learned Advocate submits that the applicant may be allowed to withdraw the present O.A. with liberty to file representation for grant of deemed date of promotion and consequential benefits in accordance with rules & regulations.

3. In the circumstances, the present O.A. is disposed of as withdrawn without any order as to costs. The applicant is at liberty to file representation to the concerned respondents regarding grant of deemed date of promotion to him along with consequential benefits. The said representation be made by the applicant within a period of next 15 days and the concerned respondents to decide the same within a period of 3 months from the date of receipt of said

representation and communicate the decision thereon to the applicant in writing.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 11-7-2018

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

**ORIGINAL APPLICATION NO. 498/2015  
(Fakirsaheb B. Deshmukh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 11.7.2018**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has already filed written notes of arguments. The same are taken on record and copy thereof has been served upon the learned P.O. Learned P.O. seeks liberty file written notes of arguments. Liberty as prayed for is granted. Written notes of arguments, if any, be filed by the learned P.O. within a period one week from today. In the circumstances, the present matter is reserved for orders.

**MEMBER (A)**

**VICE CHAIRMAN**