

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
C.P.NO.62/2018 IN O.A.NO.941/2017
(Dr. Pushpa Salunke (Died through legal heir Dr. Dattatraya Kale
V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 11.12.2018

ORAL ORDER :

1. Heard Shri Shamsundar B. Patil learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for the respondents.
2. Learned P.O. Shri D.R.Patil states that the order has been complied with.
3. Learned Advocate for the applicant prays for a week's time to take instructions. In such case, Advocate for the applicant ought to have been punctual and ready.
4. In view of failure of Advocate for the applicant, S.O. to 12-12-2019.

CHAIRMAN

YUK ORAL ORDER 11-12-2018 AHJ F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
C.P.No.80/2018 IN O.A.No.622/2016 & O.A.No.643/2016
(Manik Takalkar & Another V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 11.12.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant submits as follows:

Reply at paper book page 109 to 111 of the Contempt Application does not constitute the compliance of the order passed by this Tribunal, moreover, it is not tendered by the original respondent no.4 who is the present Contemnor No.4.

3. Learned P.O. Smt. Priya Bharaswadkar states as follows:

That the reply which is drafted by the respondent no.4 on behalf of respondent nos.4 to 6 has been brought during the court hours and tendered to her.

4. Learned P.O. is directed to submit the affidavit in reply as brought by the respondent no.4 to 6. She has placed the same on record.

5. Perusal of the affidavit in reply on behalf of respondent nos.5 to 6 reveals that it does not contain even one line statement about compliance of the order passed by this Tribunal, text whereof is at paper book page 101.

6. Moreover, affidavit in reply does not contain answer to the application for contempt with reference to each paragraph. It appears that the respondent/contemnor Officers arrogate to themselves ability and intelligence more than the Presenting Officer and this results in taking in their own head the responsibility of drafting the reply to Contempt Application. It is the matter of certain minimum etiquettes that the Contempt Application should be replied with reference to each paragraph, which is missing.

7. Had the respondent no.4 bothered to read paragraph 11 to which copy of Joint Directors letter dated 28-12-2015 is an Annexure, he could have in simple words stated that he has responded to that letter and has taken a decision. These minimum etiquettes are lost sight of. Reply only shows total lack of seriousness to the matter and to the contents of the Contempt Application.

8. Therefore, Contemnor / Respondent no.4 Shri J.R.Menon, the Director, Accounts and Treasuries, Mumbai is called upon to show cause as to why he should not be personally saddled with costs

of Rs.25,000/- (Rs. Twenty five thousand only) for being reckless and irresponsible in drafting the affidavit in reply.

9. Reply to show cause be filed on or before 20th December, 2018.

10. Learned P.O. shall communicate this order to the concerned respondents.

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

12. S.O. to 20-12-2018.

CHAIRMAN

YUK ORAL ORDER 11-12-2018 AHJ F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.719/2016
(Pandurang Chandanshiv V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 11.12.2018

ORAL ORDER :

1. Heard Shri L.H.Kawale learned Advocate holding for Shri K.J.Suryavanshi learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for the respondents and Shri V.M.Chate learned Advocate for respondent nos.4 and 5.

2. At the request of learned Advocate for the applicant, S.O. to 20-12-2018.

CHAIRMAN

YUK ORAL ORDER 11-12-2018 AHJ F

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

**C.P.No.56/2018 IN O.A.No.535/2017
(Dr. Shrinivas Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 11.12.2018

ORAL ORDER :

1. Heard Shri Shamsundar B. Patil learned Advocate for the applicant and Shri B.S.Deokar learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 20-12-2018.

CHAIRMAN

YUK

ORAL

ORDER

11-12-2018

AHJ

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

**M.A.NO.469/2018 IN O.A.NO.1972/2018
(Ramesh Popat Barhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 11.12.2018

ORAL ORDER :

1. Heard Smt. Suchita Dhongde learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.
2. Issue notice to the respondents in M.A. as well as in O.A., returnable on 21-01-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

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

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

8. S.O. to 21-01-2019.

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

CHAIRMAN

YUK ORAL ORDER 11-12-2018 AHJ F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.524/2012
(Suresh Gangasagare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 11.12.2018

ORAL ORDER :

1. Heard Shri Suresh M. Kulkarni learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

Shri H.K.Munde learned Advocate for respondent no.4 is **absent**.

2. In view of the fact that life of order impugned itself had to be of limited period, and the applicant has later been transferred, present O.A. has outlived its purpose. Hence, O.A. stands disposed of accordingly without any order as to costs.

CHAIRMAN

YUK ORAL ORDER 11-12-2018 AHJ F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.937/2018
(Pradip Dahale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 11.12.2018

ORAL ORDER :

1. Heard Smt. Suchita Dhongde learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.
2. Issue notice to the respondents in O.A., returnable on 21-01-2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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

8. Heard both sides on the point of interim relief.

9. Learned Advocate for the applicant has pointed out that the processing of applicant's pension case is pending because of recovery sought through the order impugned. She submits that Recovery pertains to a period of 2006 having cascading effect and the applicant was no way party to disbursement. She has further submitted that the applicant's case is covered by Rafiq Masih's case.

10. After perusal of record annexed to O.A. and the citation at Exhibit A-10, what emerges is that, the applicant has made out a strong prima facie case for grant of interim relief.

11. In view of above, by way of interim order ad-interim relief is granted in terms of prayer clause 10(A).

12. S.O. to 21-01-2019.

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

CHAIRMAN

YUK

ORAL

ORDER

11-12-2018

AHJ

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**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
M.A.NO.467/2018 IN C.P.NO.78/2018 IN O.A.NO.417/2018
(Chhagan Chavan & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 11.12.2018

ORAL ORDER :

1. Heard Shri V.R.Bhumkar learned Presenting Officer for the applicants in M.A.No.467/2018 and Shri Ashish Rajkar learned Advocate holding for Shri S.D.Joshi learned Advocate for the applicants in C.P.No.78/2018.

2. Learned Advocate for respondents (applicants in O.A.) states that he waives notice and prays for time to file reply and undertakes that he shall not press the hearing of Contempt Application as well as the O.A. until further order in the similar matter/s at Mumbai.

3. He further states that since the group of O.As. are heard and order therein is reserved, he shall agree for staying for the hearing of O.A.No.417/2018 as well as Contempt Application No.78/2018. Order accordingly. Hearing in O.A.No.417/2018 as well as in Contempt Application No.78/2018 is stayed till further order.

4. S.O. to 21-01-2019.

CHAIRMAN

YUK ORAL ORDER 11-12-2018 AHJ F

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

**ORIGINAL APPLICATION NO. 824/2018
(Shri Shivaji R. Tidke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 & 2.

2. Learned Advocate Shri S.B. Mene, appeared and submits that he has received instructions from respondent No. 3 to appear on his behalf. He has submitted he will file **VAKALATNAMA** and the affidavit in reply on his behalf on the next date.

3. At the request of learned Presenting Officer for the respondents, S.O. to 22.01.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 189/2017
(Shri Sambhaji K. Mande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, as a last chance, S.O. to 18.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 358/2018
(Shri Haseeb Ur. Rehman Khan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

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

3. S.O. to 17.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 359/2018
(Shri Sunil M. Bandawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

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

3. S.O. to 17.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 360/2018
(Shri Md. Abdul Sami V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

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

3. S.O. to 17.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 361/2018
(Shri Anil G. Tornekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

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

3. S.O. to 17.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 931 OF 2018
(Shri Manik P. Darade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 28.01.2019.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

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

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

8. S.O. to 28.01.2019.

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

MEMBER (J)

kpb ORAL ORDER 11.12.2018.

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

**ORIGINAL APPLICATION NO. 936 OF 2018
(Shri Rajaram C. Savalikar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 07.01.2019.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained

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

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

8. S.O. to 07.01.2019.

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

MEMBER (J)

kpb ORAL ORDER 11.12.2018.

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

**ORIGINAL APPLICATION NO. 939/2018
(Shri Yadav T. Suryawanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Shri V.B. Wagh, 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 Misc. Application for condonaiton of delay. Time granted.

3. Hence, the present matter is removed from the board and it be kept after filing M.A.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 940/2018
(Shri Namdeo M. Wakure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to file Misc. Application for condonaiton of delay. Time granted.

3. Hence, the present matter is removed from the board and it be kept after filing M.A.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 332/2018 in O.A. St. No. 1178/2018
(Shri Pradeep P. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. None present for the applicant. It seems that the applicant is not interested in prosecuting the matter. Hence, the M.A. No. 332/2018, as well as, O.A. St. No. 1178/2018 stands dismissed in default with no order as to costs.

MEMBER (J)

Latter on

4. Learned Advocate for the applicant Shri A.S. Kadam, is present and submits that in morning session he could not able to present before this Tribunal, when the order of dismissal is passed in M.A. and O.A. and therefore, he prayed to recall the dismissal order passed today i.e. on 11.12.2018 and to restore the present M.A., as well as, O.A.

6. In view of the submissions made by the learned Advocate for the applicant, the order of dismissal

passed today i.e. on 11.12.2018 is recalled and the present M.A., as well as, O.A. is restored to its original number.

//2//

M.A. 332/18 in
O.A. St. 1178/18

7. Learned Advocate for the applicant seeks leave of this Tribunal to produce documents.

8. Leave as prayed for by the applicant is granted.

9. S.O. to 21.01.2019

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 85/2018
(Shri Rangrao D. Davare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Shri P.S. Dighe, learned Advocate for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for respondents, present.

2. No sur-rejoinder filed by the respondents.
3. At the request of learned Presenting Officer for the respondents, S.O. to 04.01.2019 for hearing.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 253/2018
(Smt. Chaaya K. Ingale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 04.01.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 420/2018
(Shri Mahesh T. Doke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record. She has submitted that presently the affidavit in reply of respondent Nos. 3 and 4 is not necessary.

3 S.O. to 28.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 565/2018
(Smt. Shridevi T. Suryawanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer states that the respondents have already filed their affidavit in reply and therefore, they did not want to file additional affidavit in reply to the amended O.A. He has submitted that the preliminary enquiry of the applicant has been completed and the Tahsildar filed report to the S.D.O., Ambajogai and the decision on the said report has not been yet taken by the S.D.O., Ambajogai, therefore, he prayed to grant time.

3. In view of the submissions made by the learned Presenting Officer, time is granted to the respondents to take appropriate decision on the enquiry report in the complaints filed against the applicant and to file document in that regard on the next date.

4. S.O. to 01.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 747/2018
(Shri Ramakant H. Nagargoje V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in replies on behalf of respondent Nos. 5 & 7 and 6 respectively. Same are taken on record and the copies thereof have been served on the other side. He has submitted that presently the affidavit in reply of respondent Nos. 1 to 4 is not necessary.

3. S.O. to 30.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 765/2018
(Shri Mahaveer S. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 11.01.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 808/2018
(Shri Vivek M. Pansare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. Learned Chief 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. He has submitted that presently the affidavit in reply of respondent Nos. 2 & 3 is not necessary.

3. S.O. to 11.01.2019. Status quo granted earlier to continue till then.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 826/2018
(Shri Prashant S. Yadav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 14.01.2019 for filing affidavit in reply.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 835/2018
(Shri Sunil K. Pawara V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Shri C.V. Bhadane, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1, 2, 4 & 5. None present for respondent No. 3.

2. Learned Advocate for the applicant seeks time to file service affidavit of respondent No. 2. Time granted.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1, 4 & 5. Time granted.

4. S.O. to 28.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 115/2018 in O.A. St. No. 295/2018
(Smt. Pratidnya R. Pulkuntwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

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

3. It transpires from the proceedings that already ample opportunities were given to the respondents for filing affidavit in reply, but no affidavit in reply was filed in time. There is no just ground to grant time for filing affidavit in reply. However, in the interest of justices, time is granted to the respondents for filing affidavit in reply in M.A. subject to payment of costs of Rs. 2000/- (Two Thousand Only). The amount of costs shall be deposited in the registry of this Tribunal.

4. S.O. to 21.12.2018.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 179/2018 in O.A. St. No. 565/2018
(Smt. Sangeeta B. Thorat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Shri A.D. Hande, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer for the respondents, S.O. to 23.01.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. NO. 188/2018 in O.A. St. No.495/2018
(Smt. Anjali G. Khedkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Shri S.B. Kakde, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 and 2 and Shri S.B. Mene, learned Advocate for respondent Nos. 3 to 5, are present.

2. As none present for the applicant, S.O. to 07.01.2019 for hearing.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 201/2018 in O.A. No. 243/2018
(Shri Syamsingh D. Chauhan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Shri M.B. Ubale, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 14.01.2019 for passing necessary orders.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 350/2018 in O.A. St. No. 1565/2018
(Shri Walmik D. Nikam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 in M.A. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 14.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 353/2018 in O.A. St. No. 1563/2018
(Shri Anil L. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 in M.A. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 14.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 386/2018 in O.A. St. No. 1620/2018
(Shri Ashok B. Sonwane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Shri Y.V. Kakade, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer for the respondents, as a last chance, S.O. to 24.01.2019 for filing affidavit in reply in M.A.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 451/2018 in M.A. No. 508/2017 in O.A. St. 1873/2017
(State of Maharashtra & Ors. Vs. Shri Vasant J. Joshi)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Smt. M.S. Patni, learned Presenting Officer for the applicants (original respondents) and Shri A.D. Gadekar, learned Advocate for respondent (original applicant).

2. Perused the orders dated 21.08.2018, 03.10.2018 & 24.10.2018 passed in M.A. No. 508/2017 in O.A. St. No. 1873/2017. On perusal of it, it reveals that the present applicant Nos. 1 and 2 were negligent in conducting the proceeding and therefore, the order of imposing costs has been passed.

3. In view of this, there is no just reason to re-call the orders dated 21.08.2018, 03.10.2018 and 24.10.2018 passed in M.A. No. 508/2017 in O.A. St. No. 1873/207. There is no merit in the present M.A. No. 451/2018, hence, the same is rejected with no order as to costs.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 508/2017 in O.A. St. No. 1873/2017
(Shri Vasant J. Joshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. No affidavit in reply is filed by the respondent Nos. 1 and 2. Hence, the present matter shall proceed without affidavit in reply of respondent Nos. 1 and 2. The orders be communicated to the respondent Nos. 1 and 2 and recovered the amount of costs from respondent Nos. 1 and 2 personally.

3. S.O. to 25.01.2019 for hearing.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 491/2018 in O.A. No. 637/2018
(Shri Alkesh N. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Shri M.S. Sonawane, learned Advocate for the applicant and Smt. Deepali S. Des, learned Presenting Officer for respondents.

2. For the reasons and grounds mentioned in M.A. No. 419/2018, the same is allowed. The order of dismissal passed in O.A. 637/2018 on 19.11.2018 is recalled. The O.A. No. 637/2018 is restored to its original number.

3. Accordingly, the M.A. No. 491/2018 is disposed of with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 11-12-2018

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

**ORIGINAL APPLICATION NO. 637/2018
(Shri Alkesh N. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. In view of the order passed in M.A. No. 491/2018 on 11.12.2018, the O.A. No. 637/2018 is restored to its original number.

3. Issue fresh notices to the respondents, returnable on 23.01.2019.

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

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

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.

//2// O.A. No. 637/2018

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

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

9. S.O. to 23.01.2019.

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

MEMBER (J)

kpb ORAL ORDER 11.12.2018.

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

**ORIGINAL APPLICATION NO. 502/2017
(Public Prosecutors' Association V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. Learned Chief Presenting Officer has submitted that the proposal sent by the Law and Judiciary Department as regards relief claimed by the applicants is forwarded to the G.A.D. and Finance Department and the decision of the G.A.D. and Finance Department is awaited and therefore, he sought eight weeks time.

3. In view of the submissions made by the learned C.P.O., as a last chance, S.O. to 04.02.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 789/2016
(Shri Rahul R. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent No. 1 and Shri V.B. Wagh, learned Advocate for respondent No. 2.

2. I have perused the short affidavit in reply filed to show cause notice issued by this Tribunal on 07.09.2017. On going through the said affidavit in reply, it reveals that Shri Laxmikant P. Satalkar has given evasive reply to the notice. He has intentionally avoided to give explanation as to when the original documents i.e. caste certificate and non-creamy layer certificate has been produced by the respondent No. 2 for verification, though he was called upon to explain the said fact before this Tribunal by remaining present personally in view of the order dated 07.09.2017 and subsequent orders passed by this Tribunal. Therefore, it is just and proper to take necessary action against him.

3. At this juncture, learned Presenting Officer has submitted that he will keep Shri L.P. Satalkar present

personally along with original record on the next date to explain the said facts and therefore, he seeks time.

//2//

O.A. No. 789/2016

4. In view of the aforesaid submissions made by the learned P.O., S.O. to 14.12.2018.

5. Steno copy allowed to the learned P.O. at his request.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 355/2017
(Shri Rajendra T. Dawange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to argue the matter on the point of applicability of the G.R. dated 07.10.2016 to the applicant and the employees, who were working in the rest of the Maharashtra other than the Mantralaya and Greater Bombay. Time granted.

3. S.O. to 09.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**ORIGINAL APPLICATION NO. 269/2018
(Smt. Pramila B. Narkhede V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant and learned Presenting Officer have submitted that the original record is necessary to decide the present Original Application.

3. Learned Presenting Officer seeks time to produce original record. Time granted.

4. S.O. to 09.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

**M.A. No. 476/2016 in O.A. St. No. 2024/2016
(Shri Devidas B. Ahire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

Heard Shri T.R. Daware, learned Advocate holding for Shri P.S. Gaikwad, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to file application for amendment in M.A. and O.A. Time granted.

3. S.O. to 17.01.2019.

MEMBER (J)

kpb ORAL ORDERS 11-12-2018

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

ORIGINAL APPLICATION NO. 930 OF 2018

[Shri Dnyanoba B. Panchal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri R.M. Gaikwad, learned Advocate holding for Shri G.K. Muneshwar, 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 12.12.2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 570 OF 2013

[Shri Nitin K. Salunkhe Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Smt. Divya Tyagi, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time. It is to be noted that the present O.A. is very old. However, in the interest of justice, as a last chance, S.O. to 04.01.2019.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

M.A.NO. 110/2017 IN O.A.ST.NO. 233/2017

[Dr. Archana K. Teltumbde Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Shri Gajanan Kadam, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1, 2 & 4 and Smt. Divya Tyagi, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent No. 5, present. Shri Shamsunder B. Patil, learned Advocate for respondent No. 3 (**absent**).

2. None appears for the applicant. Learned Advocate for respondent No. 5 seeks accommodation. In the circumstances, S.O. to 11.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

M.A.NO. 358/2014 IN O.A.ST.NO. 1184/2014

[Dr. Gangadhar D. Chate Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. 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 A.R. Tapse, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for respondent No. 4.
2. Learned Chief Presenting Officer on instructions from Dr. Sanjeev Kamble, Director of Health Services and Dr. Male Eknath, Deputy Director, Latur Division, submits that the proposal is pending before the G.A.D. and Finance Department and the present respondents would pursue for early decision in the mater and, therefore, 8 weeks' time may be granted.
3. Learned Advocate for respondent No. 4 submits that Shri Shivlal Magan Rathod, Junior Administration Officer, Health Department, Zilla Parishad, Beed is also present.
4. At the request of learned C.P.O., S.O. to 15.02.2019 for reporting compliance.
5. Learned C.P.O. to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 250 OF 2014

[The Karyakari Adhikari Sanghatna, RTO, through its Joint Secretary
Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned C.P.O. submits that similar matter is pending before the Hon'ble High Court, as well as, before the Principal seat of this Tribunal at Mumbai. He, therefore, wants to take instructions from the concerned respondent. At his request, S.O. to 16.01.2019 for taking instructions or for hearing.
3. Learned C.P.O. to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

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

M.A.NO. 35/2018 IN O.A.ST.NO. 97/2018

[Shri Nilesh R. Tagad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri Santosh S. Jadhavar, learned Advocate for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for respondent No. 1 and Shri D.T. Devane, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for respondent No. 2.
2. At the request of learned Advocate for the applicant, S.O. to 22.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 791 OF 2018

[Shri Gajanan T. Patil Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Smt. Sunita D. Shelke, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 & 2 and Shri S.D. Dhongde, learned Advocate for respondent Nos. 3 & 4.

2. Learned Advocate for the applicant submits that she has supplied the copies of concerned documents to the learned Presenting Officer for respondent Nos. 1 & 2 and learned Advocate for respondent Nos. 3 & 4.

3. Learned P.O. and learned Advocate for respondent Nos. 3 & 4 submit that they would take instructions from the concerned respondents by the next date. In the circumstances at their request, S.O. to 10.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 514 OF 2018

[Shri Sahebrao G. Avhad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Shri M.S. Taur, learned Advocate for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, present.
2. Perused the material.
3. Admit.
4. Learned Presenting Officer waives notice after admission. The present case be removed from the board and it be placed for final hearing in due course of time.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

O.A.NOS. 147 & 148 BOTH OF 2018

[Shri Dashrath G. Shinde & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri Nagesh G. Talekar, learned Advocate for the applicants in both the cases and Shri N.U. Yadav, learned Presenting Officer for the respondents in both the cases.
2. S.O. to 13.12.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 703 OF 2017

[Shri Vasant M. Gosavi Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 & 2. Shri Avinash Aghav, learned Advocate for respondent No. 3 (**absent**).

2. Upon hearing both the sides, it appears that *inter alia* while the deceased applicant's case is that he was never served with the impugned order, the case of the respondent Nos. 1 & 2 is that the said impugned order is served through respondent No. 3, the Chief Executive Officer, Zilla Parishad, Beed, to the deceased applicant.

3. Learned Advocate Shri Avinash Aghav initially appeared for respondent No. 3. However, thereafter, nobody appeared in the O.A. for respondent No. 3 and, therefore, the present O.A. proceeded without affidavit in reply of respondent No. 3.

4. Since it appears that the statement from the side of the respondent No. 3 would be material in view

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O.A. NO. 703 OF 2017

of the above fact, issue fresh notice to the respondent No. 3, returnable on 15.01.2019.

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

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

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

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

9. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date,

case shall automatically stand dismissed without further reference to the Tribunal.

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O.A. NO. 703 OF 2017

10. Respondent No. 3 is directed to depute responsible officer to appear before this Tribunal to explain as to why the affidavit in reply is not filed in the present case, failing which necessary strict action including imposition of heavy costs or issuing warrant, if any may be taken by the Tribunal on the next date.

11. S.O. to 15.01.2019.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 321 OF 2017

[Smt. Manisha P. Jagtap Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri P.A. Kulkarni, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that during the course of the day sur-rejoinder of respondent No. 2 would be filed. It be accepted.
3. In the circumstances, S.O. to 04.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

T.A.NO. 8/2018 [W.P.NO. 11576/2014]

[Ms. Kiran C. Pawar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Shri Avinash S. Deshmukh, learned Advocate appeared today and he has filed **VAKALATNAMA** on behalf of the applicant and the same is taken on record. Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate Shri Avinash S. Deshmukh submits that he will have to go through the necessary papers and to take necessary steps.

3. In the circumstances, S.O. to 08.01.2019 either for taking steps, if any or for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 439 OF 2018

[Shri Bhimrao N. Gaikwad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri Girish N. Kulkarni, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that the respondents have instructed her to ask for time for taking corrective steps. It is to be noted that on many occasions the present O.A. adjourned for the same reason. In the circumstances, as a last chance, S.O. to 03.01.2019 with a forewarning that in case no report is filed on the next date, this Tribunal would be constrained to take strict action including imposition of heavy costs or calling responsible officer in the Tribunal for non-compliance of the order.

3. Learned Presenting Officer to act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 65 OF 2018

[Smt. Shivkanya R. Chopde Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Smt. Shubhangi D. More, learned Advocate for the applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 3, Shri D.T. Devane, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for respondent Nos. 4 to 8 and Smt. Sangmitra B. Wadmare, learned Advocate for respondent No. 9.

2. Learned Advocate for respondent No. 9 submits that in view of grant of interim relief the present respondent is suffering and, therefore, the interim relief may be vacated.

3. In view of absence of the applicant or her counsel, S.O. to 19.12.2018 for hearing on the above line or for making statement by the applicant as directed earlier.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

O.A.NO. 931/2016 WITH O.A.NO. 930/2016

[Shri Chudaman Daga Pawar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Shri Shrikant Patil, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer submits that the Writ Petition filed by the present applicant came to be disposed of recently by the Hon'ble High Court. He, therefore, seeks some time for taking decision in the present case. In the circumstances, at his request, S.O. to 03.01.2019 for reporting decision.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 509 OF 2018

[Shri Ismail Abdul Tamboli Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri A.R. Avachat, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that the corrective steps are taken and partial steps are required to be taken. Therefore, the present O.A. may be disposed of by giving directions to the concerned respondents to take all the steps within a period of six weeks.
3. The aforesaid submission made by the learned Presenting Officer appears to be reasonable. In the circumstances, the present O.A. is disposed of with a direction to the concerned respondents to take all the necessary steps regarding relief to the applicant within a period of six weeks from today. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD
FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 562 OF 2018
[Shri Ravindra V. Jewre Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri A.R. Avachat, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that necessary steps are taken and even the proposal is sent to the Accountant General, Nagpur.
3. In view of the above with a direction that remaining steps within the power and control of the concerned respondents shall be taken, as early as possible, the present O.A. is disposed of. The parties shall bear their own costs.

MEMBER (A)
ORAL ORDERS 11.12.2018-HDD

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 470 OF 2018

[Smt. Mahadabai G. Dhulekar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Shri V.P. Kadam, learned Advocate for the applicant (absent). Shri B.S. Deokar, learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, S.O. to 21.01.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 702 OF 2017

[Shri Sachin A. Bachkar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri D.A. Bide, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In pursuance of the order dated 31.10.2018 the applicant has filed additional affidavit along with the Bank Statement to show that the statement in affidavit in reply of the concerned respondent regarding attendance is false / wrong. It is taken on record and the copy thereof has been served on the learned Presenting Officer.

3. Learned Presenting Officer seeks time to go through the additional affidavit filed by the applicant and to make statement by taking instructions from the concerned respondents. At his request, S.O. to 09.01.2019 for making statement on the above line.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

O.A. NOS. 453 & 454 BOTH OF 2018

[Shri Balasaheb R. Mendhekar & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri Raghavendra N. Bharaswadkar, learned Advocate for the applicants in both these cases, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 4 in both these cases and Shri N.T. Tribhuvan, learned Advocate for respondent Nos. 5 to 12 in O.A. No. 453/2018. None appears for respondent Nos. 5 to 28 in O.A. No. 454/2018.

2. At the request of learned Advocate for respondent Nos. 5 to 12, S.O. to 19.12.2018 for filing affidavit in reply on their behalf in O.A. No. 453/2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 563 OF 2014

[Shri Tushar B. Rajput Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri H.V. Tungar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that during the course of the day sur-rejoinder would be filed. It be accepted.
3. In the circumstances, S.O. to 17.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

ORIGINAL APPLICATION NO. 615 OF 2018

[Desai Timma Gaikwad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Smt. Divya Tyagi, 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. Issue notices to respondents, returnable on 24.01.2019.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

O.A. NO. 615 OF 2018

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

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

8. S.O. to 24.01.2019.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

M.A.NO. 305/2012 IN O.A.NO. 586/2012

[Shri Bharat M. Bhosale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018.

ORAL ORDER :

1. Heard Shri Sudhir Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. Learned Presenting Officer submits that during the course of the day sur-rejoinder would be filed. It be accepted.
3. In the circumstances, S.O. to 10.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.12.2018-HDD

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

**ORIGINAL APPLICATION NO. 624/2013
(Yogesh P. Ghuge & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

Shri Madhav C. Ghode, learned Advocate for the applicants (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. Heard learned Presenting Officer. He submits that Special Leave to Appeal (Civil) bearing nos. 12181-12182/2013 is still pending before the Hon'ble Supreme Court and stay to the order of Hon'ble High Court granting same relief in the writ petition has been granted. In the circumstances, S.O. to 21.3.2019 for reporting further progress in the Special Leave to Appeal.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 612/2014
(Vidya T. Sakhare & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

Heard Shri R.L. Kute, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that affidavit in reply filed by the Assistant Director & Public Prosecutor, Osmanabad on behalf of res. nos. 1 & 3 as well as the Tahsildar (General) on behalf of res. no. 2 – the Collector, Osmanabad – are totally faulty and incorrect. While letter (page 22) would show that the present applicants and other Assistant Public Prosecutors appointed U/s 25 of the Cr. P.C. were empanelled and they would have to work as per the fees prescribed, both these replies would term the said empanel as service and appointment.

3. In the circumstances, S.O. to 22.1.2019 for filing corrective reply/s, if any, by the concerned respondents, in absence of the same the present O.A. would be fixed for final hearing thereafter.

4. 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**

**ORIGINAL APPLICATION NO. 583/2014
(Bhausahab S. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent nos. 1 to 4. Shri A.C. Deshpande, learned Advocate for respondent nos. 5 & 6 (**absent**).

2. In pursuance of the order dtd. 23.10.2018 the learned Advocate for the applicant today files additional affidavit of the applicant. In the last sentence of para 1 of the said affidavit, the applicant states that, in fact, the Director, Government Institution of Forensic Science, Aurangabad did not relieve the applicant from the post of Jr. Accountant and therefore he could not join on the post with the Government Institute of Science, Aurangabad. He has also made certain additional submissions regarding recalling of the said order.

3. In the circumstances, the concerned respondents are hereby directed to file additional affidavit in reply to the present additional affidavit of the applicant.

S.O. to 17.1.2019 for filing additional affidavit in reply by the respondents on the above line.

4. 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**

**ORIGINAL APPLICATION NOS. 119/2015 AND 444/2014
(Mohanchandra J. Panjol & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

Heard Shri S.P. Salgar, learned Advocate holding for Shri S.S. Gangakhedkar, learned Advocate for the applicants in both the matters and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents in both the matters.

2. Learned P.O. submits that she was not aware that affidavit in reply of the concerned respondents in any of the case was filed and today she was under impression that reply is to be filed in the present matters. In fact, the record would show that long back i.e. in the year 2015 reply in both the matters are filed. In view of oversight of the learned P.O., S.O. to 11.1.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 300/2015
(Santosh P. Namdas V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

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

2. On last 3 occasions the learned Advocate for the applicant sought time for advancing arguments. Considering the fact that the present O.A. is very old, S.O. to 3.1.2019 either for hearing or for passing necessary orders in default.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 882/2016 AND 65/2017
(Pradeep M. Koushike & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants in both the matters and Smt. M.S. Patni, learned Presenting Officer for the respondents in both the matters.

2. The present matters are closed for orders, with liberty to learned Advocate to file synopsis along with relevant case laws, if any. The same shall be filed on or before 14.12.2018.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 26/2018
(Bhushan V. Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that though the res. no. 3 the District Civil Surgeon, Parbhani has sent a fresh proposal to the res. no. 2 the Director, Directorate of Sports & Youth Services, Pune vide Exh. R-3 page 40 on 4.10.2017, the reply of res. no. 2 sworn by Shri Rajkumar Mahadawad, Dy. Director of Sports & Youth Services, Aurangabad Division would show that without being aware of fresh proposal for verification of sports certificate of the present applicant the concerned file regarding verification of sports certificate is closed.

3. In the circumstances, presence of Shri Rajkumar Mahadawad, Dy. Director of Sports & Youth Services, Aurangabad Division, who has sworn affidavit in reply on behalf of res. no. 2 in the present matter or any other responsible Officer from the said office, is required to put light on this factual aspect. Learned

P.O. seeks time in this regard. At his request, S.O. to 6.1.2019 for compliance of above order.

4. 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**

**O.A. NOS. 211, 212, 213, 214, 215, 216 AND 217/2015
(Arundhati D. Nagre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

None appears for the applicants in all these matters. Shri M.P. Gude, learned Presenting Officer for respondents in all these matters, is present.

2. The record would show that on many occasions the applicants and their learned Advocate were absent in the present matters. In the circumstances, present Original Applications are dismissed in default without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 786/2017
(Kailash A. Pardeshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that, in fact, the present applicant was superseded in granting benefits of assured career progression scheme vide order dtd. 3.3.2006, however, averments to that effect are remained to be made in the present matter. In the circumstances, liberty to add those pleadings and also for filing relevant documents in that regard in the O.A. by way of amendment is hereby granted. Amended as above be carried out in the O.A. by 20.12.2018. In the circumstances, S.O. to 20.12.2018.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 540/2016
(Raghunandan D. Sapkale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

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

2. In pursuance of the order of the Tribunal dtd. 13.6.2018, the learned Advocate for the applicant files on record additional affidavit along with copies of relevant G.Rs. The same is taken on record with copy thereof to other side.

3. Learned P.O. seeks time to file additional reply or to take instructions from the concerned respondents in regard to additional affidavit filed by the applicant. At her request, S.O. to 3.1.2019 for filing additional reply, if any, to the additional affidavit of the applicant.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 492/2018 WITH M.A. 372/2018 IN O.A. 581/2018
(Vishali R. Barhate Vs. State of Maharashtra & Ors.)**

WITH

**O.A. NO. 818/2018
(Kishor S. Suradkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 11.12.2018

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant in M.A. no. 492/2018 with M.A. 372/2018 in O.A. no. 581/2018, Shri G.K. Muneshwar, learned Advocate for the applicant in O.A. no. 818/2018 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the matters.

2. Shri Dhongde, learned Advocate, on instructions from the respective applicant, submits that applicant wishes to withdraw the present M.A. no. 492/2018 in O.A. no. 581/2018.

3. In the circumstances, M.A. no. 492/2018 in O.A. no. 581/2018 is hereby disposed of as withdrawn without any order as to costs.

4. Accordingly, M.A. no. 372/2018 in O.A. no. 581/2018 with O.A. no. 818/2018 be placed on board on 8.1.2018.

MEMBER (A)

VICE CHAIRMAN