

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

**ORIGINAL APPLICATION NO.228/2017
(Maroti Nilewad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.07.2019.

ORAL ORDER :

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

2. Arguments of both sides are heard at length.

Case is reserved for order.

VICE CHAIRMAN

YUK ORAL ORDER 12.07.2019 bpp

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

**ORIGINAL APPLICATION NO.460/2017
(Suvarna Ghodke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.07.2019.

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for adjournment. Adjournment is granted.

3. S.O. to 24-07-2019 for final hearing.

VICE CHAIRMAN

YUK ORAL ORDER 12.07.2019 bpp

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

**ORIGINAL APPLICATION NO.475/2018
(Shivkanya Bharti V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.07.2019.

ORAL ORDER :

Shri S.D.Dhongde learned Advocate for the applicant has filed **leave note** on record.

Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 16-08-2019.

VICE CHAIRMAN

YUK ORAL ORDER 12.07.2019 bpp

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

**ORIGINAL APPLICATION NO.977/2018
(Parag Nawalkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.07.2019.

ORAL ORDER :

Heard Shri Ajay Deshpande learned Advocate for the applicant, Shri M. S. Mahajan learned Chief Presenting Officer for the respondent no.1 and Shri A.S.Deshmukh learned Advocate for respondent no.2.

2. At the request of learned Chief Presenting Officer, S.O. to 23-07-2019 for taking instructions from the respondent as to whether he is ready to take corrective steps in the matter.

VICE CHAIRMAN

YUK ORAL ORDER 12.07.2019 bpp

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

ORIGINAL APPLICATION NO.627/2019

WITH

CAVEAT NO.56/2019 TO 60/2019

(Dr. Swapna B. Sarpe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.07.2019.

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 01-08-2019.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in

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

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

8. S.O. to 01.08.2019.

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

VICE CHAIRMAN

YUK ORAL ORDER 12.07.2019 bpp

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

**M.A.NO.20 OF 2018 IN O.A.ST.NO.1938 OF 2017
(Shri Madhukar K. Brahmane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.7.2019

ORAL ORDER :

Heard Shri Avinash M. Nagarkar, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Heard both the sides. Reserved for order.

VICE CHAIRMAN

SAS ORAL ORDER 12.7.2019 bpp

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

**M.A.NO.243 OF 2018 IN O.A.ST.NO.956 OF 2018
(Shri Kashinath V. Alane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.7.2019

ORAL ORDER :

Shri R.P. Adgaonkar, learned Advocate for the Applicant is **absent**.

Heard Shri N.U. Yadav, learned Presenting Officer for the Respondent No1.

Shri Suresh D. Dhongde, learned Advocate for the Respondent Nos.2 & 3 has filed leave note.

2. As none appeared for the Applicant, S.O. to 9.8.2019.

VICE CHAIRMAN

SAS ORAL ORDER 12.7.2019 bpp

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

**M.A.NO.400 OF 2018 IN O.A.ST.NO.1685 OF 2018
(Smt. Masarat Begam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.7.2019

ORAL ORDER :

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

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

3. For the reasons stated in the M.A., the same is allowed. The delay of 7 years, 3 months and 17 days caused for filing the Original Application is hereby condoned.

4. Accordingly, the M.A. stands disposed of. The registry is directed to register the O.A. after due scrutiny. There shall be no order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 12.7.2019 bpp

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.7.2019

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondents.

2. No affidavit-in-reply has been filed by the Respondents.

3. Learned P.O. for the Respondents seeks one week's time to file affidavit-in-reply.

4. Time as prayed for is granted subject to payment of cost of Rs.5000/-.

5. The amount of cost shall be deposited in the registry of this Tribunal.

6. S.O. to 19.7.2019.

VICE CHAIRMAN

SAS ORAL ORDER 12.7.2019 bpp

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

**M.A.NO.504 OF 2018 IN O.A.NO.665 OF 2018
(Zubair Ahmed Abdul Gafoor V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.7.2019

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate holding for Shri S.K. Chavan, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

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

3. For the reasons stated in the M.A., the same is allowed. The delay of 10 days caused for filing the Original Application is hereby condoned.

4. Accordingly, the M.A. stands disposed of. The registry is directed to register the O.A. after due scrutiny. There shall be no order as to costs.

VICE CHAIRMAN

SAS ORAL ORDER 12.7.2019 bpp

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

**M.A.NO.312 OF 2019 IN M.A.ST.NO.1336 OF 2019
IN**

O.A.NO.909 OF 2018

(Shri Atmaram N. Mahide V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 12.7.2019

ORAL ORDER :

Heard Shri S.M. Mundik, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, S.O. to 24.07.2019.

VICE CHAIRMAN

SAS ORAL ORDER 12.7.2019 bpp

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

**ORIGINAL APPLICATION NO. 183 OF 2019
(Shri Pandurang V. Arke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri B.V. Thombre, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

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

3. S.O. to 05.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 503 OF 2018
(Dr. Omprakash S. Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondent Nos. 1 to 3 and 6. Shri A.B. Shinde, learned Advocate for respondent Nos. 4 & 5, **absent.**

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3 and 6. Time granted as a most last chance.

3. S.O. to 24.07.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 912 OF 2018
(Smt. Rabiya B. Khajamiyan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Dr. Kalpalat Patil-Bharaswadkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondents. Same is taken on record and copy thereof has been served on the other side. She undertakes that in pursuance of the order dated 19.06.2019, she will deposit the amount of costs of Rs. 5000/- on Tuesday i.e. on 16.07.2019. The said undertaking is taken on record.

3. S.O. to 02.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 913 OF 2018
(Smt. Mariyambee L. Sayed V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Dr. Kalpalata Patil-Bharaswadkar, 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 respondents. Same is taken on record and copy thereof has been served on the other side. She undertakes that in pursuance of the order dated 19.06.2019, she will deposit the amount of costs of Rs. 5000/- on Tuesday i.e. on 16.07.2019. The said undertaking is taken on record.

3. S.O. to 02.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 330 OF 2019
(Shri Tukaram S. Khedkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Shri P.H. Sukale, learned Advocate for the applicant (**Absent**).

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

2. The applicant and his Advocate remained absent since long. It seems that the applicant is not interested in prosecuting the present O.A.

3. In view therefore, the O.A. is dismissed in default with no order as to costs.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 331 OF 2019
(Shri Laxman S. Bade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Shri P.H. Sukale, learned Advocate for the applicant (**Absent**).

Heard Shri N.U. Yadav, learned Presenting Officer for respondents.

2. The applicant and his Advocate remained absent since long. It seems that the applicant is not interested in prosecuting the present O.A.

3. In view therefore, the O.A. is dismissed in default with no order as to costs.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 603 OF 2019
(Smt. Minakshi V. Mudiraj V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 13.08.2019.

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

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

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

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

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

8. S.O. to 13.08.2019.

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

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 624 OF 2019

CAVEAT NO. 56/2019 TO 60/2019

(Dr. Habibkhan Jamilkhan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

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

2. The Applicant has challenged the impugned transfer order dated 04.07.2019.

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

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

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

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

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

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

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

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

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that

the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

15. S.O. to 01.08.2019.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 328 OF 2018
(Smt. Savita S. Salave V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri P.B. Pawar, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for respondent Nos. 1 to 4 and Smt. Amruta Paranjape-Menezes, learned Advocate for respondent No. 5.

2. Learned Advocate for respondent No. 5 has submitted that during the course of the day affidavit in reply would be filed. She undertakes to supply copy of the affidavit in reply to the other side.

3. S.O. to 05.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 582 OF 2018
(Shri Rakesh R. Jagtap V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

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

2. No rejoinder affidavit is filed by the applicant.

3. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 27.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 883 OF 2018
(Shri Sawairam D. Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri G.N. Kulkarni (Mardikar), learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the prayer clause 18(B) of O.A. suitably.
3. Leave as prayed for is granted. The applicant shall amend the O.A. forthwith.
4. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 26.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 886 OF 2018
(Shri Baliram D. Waghmare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri G.N. Kulkarni (Mardikar), learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.
2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the prayer clause 18(B) of O.A. suitably.
3. Leave as prayed for is granted. The applicant shall amend the O.A. forthwith.
4. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 26.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 942 OF 2018
(Dr. Meena R. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri R.R. Wakekar, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 09.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 184 OF 2019
(Shri Keshav J. Wable V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Shri S.V. Suryawanshi, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record.

3. S.O. to 26.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 315 OF 2019
(Shri Jeevan G. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri D.S. Bhapkar, learned Advocate holding for Shri S.L. Bhapkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 4. Shri M.M. Bhokarikar, learned Advocate for respondent No. 5, absent.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 4. Time granted.

3. No affidavit in reply is filed by the respondent No. 5.

4. S.O. to 09.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 420 OF 2019
(Shri Raju P. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Shri S.D. Dhongde, learned Advocate for the applicant (**Leave Note**). Shri B.S. Deokar, learned Presenting Officer for respondents, present.

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

3. S.O. to 05.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 332 OF 2019
(Shri Sukhdev G. Nagre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri K.B. Jadhav, 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 No. 1. Same is taken on record and copy therefore has been served on the other side.
3. At the request of learned Presenting Officer, as a last chance, S.O. to 09.08.2019 for filing affidavit in reply of respondent Nos. 2 & 3.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

1. Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

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

3. S.O. to 13.08.2019.

VICE CHAIRMAN

kpb ORAL ORDERS 12.07.2019

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

**ORIGINAL APPLICATION NO. 628 OF 2019
(Dr. Shirish S. Galakatu V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B. P. PATIL, VICE CHAIRMAN.

DATE : 12.07.2019.

ORAL ORDER :

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

2. The Applicant has challenged the impugned transfer order dated 04.07.2019.

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

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

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

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

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

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

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

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

9. Issue notices to the respondents returnable on 01.08.2019.

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

11. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that

the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

15. S.O. to 01.08.2019.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 418/2018
(Shri Kavita T. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent no. 1. None appears for respondent no. 2.

2. The issue involved in the present case pertains to horizontal reservation. The other cases in which similar issue is involved are already fixed on 20.8.2019. In the circumstances, present case be placed on board on 20.8.2019 along with other similar cases.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**ORIGINAL APPLICATION NO. 476/2018
(Smt. Aasha S. Khairnar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed rejoinder affidavit. It is taken on record and copy thereof has been supplied to the learned P.O. for the respondents.

3. In the circumstances, S.O. to 26.8.2019 for hearing.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**ORIGINAL APPLICATION NO. 843/2018
(Shri Suresh D. Machal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the
applicant (**absent**). Shri D.R. Patil, learned Presenting
Officer for the respondents, is present.

2. At the request of learned Presenting Officer, S.O.
to 5.8.2019 for filing affidavit in reply of the
respondents.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**ORIGINAL APPLICATION NO. 959/2018
(Smt. Madhavi P. Sigedar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3 and Shri N.S. Ingle, learned Advocate for respondent no. 4.

2. Learned P.O. files affidavit in reply of res. nos. 1 to 3 along with copy of communication dtd. 23.6.2019 mentioning that res. no. 4 has been appointed, subject to outcome of the present O.A. in accordance with order dated 17.12.2018 of the Tribunal. The affidavit in reply of res. nos. 1 to 3 along with copy of communication date 23.6.2019 are taken on record and copies thereof are supplied to the learned Advocate for the applicant.

3. Learned Advocate for the applicant seeks time to file rejoinder. Time granted.

4. S.O. to 21.8.2019.

MEMBER (A)

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

**ORIGINAL APPLICATION NOS. 11, 30 AND 81 ALL OF 2019
(Shri Bapurao A. Dongare & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicants in all these cases and Shri D.R. Patil, learned Presenting Officer for the respondents in all these cases.

2. Both the sides submit that the present cases be admitted.
3. In the circumstances, all the three cases are hereby admitted.
4. Place all these cases for final hearing before the Division Bench in due course of time with liberty to both the sides to circulate the cases if occasion arises.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**ORIGINAL APPLICATION NO. 293/2019
(Shri Babasaheb S. Pagare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

Heard Shri V.B. Wagh, 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 1.8.2019
for filing affidavit in reply of the respondents.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**ORIGINAL APPLICATION NO. 295/2019
(Maharashtra Rajya Hangami Hivtap Prayogashala Karmachari Sanghatana,
through its President Bharat M. Tangade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

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

2. Learned P.O. has filed short affidavit of res. no. 3
as per the order of the Tribunal dtd. 27.3.2019. It is
taken on record and copy thereof has been supplied to
the learned Advocate for the applicant.

3. In the circumstances, S.O. to 22.7.2019.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**M.A. 53/2019 IN O.A. ST. 185/2019
(Shri Ashok B. Amrutkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant (**leave note**). Smt. M.S. Patni, learned Presenting Officer for the respondent nos. 1, 2 & 4, is present. Shri S.S. Chillare, learned Advocate for respondent no. 3 (**absent**).

2. At the request of learned P.O., S.O. to 30.7.2019 for filing affidavit in reply of res. nos. 1, 2 & 4.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**M.A. 287/2019 IN O.A. 316/2019
(Shri Shamlal C. Bhagure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

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

2. Present M.A. has been filed by the applicant for
recalling the order of dismissing of O.A. no. 316/2019
and restoration of same to its original file.

3. For the reasons stated in the M.A. it is allowed
and disposed of without any order as to costs and
accordingly O.A. is restored to its original file.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

O.A. 316/2019

(Shri Shamlal C. Bhagure V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

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

2. After restoration of O.A., issue notices to the respondents, returnable on 4.9.2019.

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 4.9.2019.

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

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**M.A. 288/2019 IN C.P. 15/2019 IN O.A. 846/2016
(Shri Kishor A. Bagul V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

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

2. Present M.A. has been filed by the applicant for
recalling the order of dismissing of C.P. 15/2019 in
O.A. no. 846/2016 and restoration of same to its
original file.

3. For the reasons stated in the M.A. it is allowed
and disposed of without any order as to costs and
accordingly C.P. no. 15/2019 is restored to its original
file.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**C.P. 15/2019 IN O.A. 846/2016
(Shri Kishor A. Bagul V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

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

2. After restoration of C.P. no. 15/2019 in O.A. no. 826/2016, issue notices to the respondents, returnable on 4.9.2019.

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 4.9.2019.

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

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

M.A. 250/2019 IN O.A. 36/2018

**(Shrishailya B. Nigudge V/s. Shri Manohar D. Late & State of Maharashtra &
Ors.)
AND**

M.A. 251/2019 IN O.A. 37/2018

**(Shrishailya B. Nigudge V/s. Dnyandeo N. Kadam & State of Maharashtra & Ors.)
AND**

M.A. 252/2019 IN O.A. 47/2018

(Shrishailya B. Nigudge V/s. Nathrao S. Kedar & State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

M.A. 250/2019 IN O.A. 36/2018

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicants in M.A. / proposed intervenors, Shri V.R. Bhumkar, learned Presenting Officers for the respondent nos. 2 to 4 and Shri P.B. Rakhunde, learned Advocate for respondent no. 1 in M.A. / applicant in O.A.

M.A. 251/2019 IN O.A. 37/2018

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicants in M.A. / proposed intervenors, Shri V.R. Bhumkar, learned Presenting Officers for the respondent nos. 2 to 4 and Shri P.B. Rakhunde, learned Advocate for respondent no. 1 in M.A. / applicant in O.A.

M.A. 252/2019 IN O.A. 47/2018

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicants in M.A. / proposed intervenors, Shri V.R. Bhumkar, learned Presenting Officers for the respondent nos. 2 to 6 and Shri P.B. Rakhunde, learned Advocate for respondent no. 1 in M.A. / applicant in O.A. and Smt. S.L. Puri, learned Advocate holding for Shri U.P. Gire, learned Advocate for respondent no. 7 in M.A. / respondent no. 6 in O.A.

2. Present M.As. are filed by the applicants for issuance of directions to the applicants in O.As. to add them as party respondents in respective O.As.

3. For the reasons stated in respective M.As. it is allowed in terms of prayer clause (B) of M.As.

“(B) The respondent no. 1 / original applicant may kindly be directed to add applicants as party respondents in Original Application pending before this Hon’ble Tribunal.”

4. In the circumstances, all the M.As. are disposed of without any order as to costs.

5. Accordingly applicants in M.As. be added as party respondents in respective O.As. and the same be fixed on board on 19.7.2019.

MEMBER (A)

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

**M.A. 66/19 IN O.A. 326/12 WITH M.A. ST. 792/17 IN O.A. 555/15
(Shri Madhav C. Padavi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

Heard Shri F.R. Tandale, learned Advocate for the applicant and Smt. Sanjivani Deshmukh, learned Presenting Officer for the respondents.

2. Learned P.O. submits that Shri K.B. Choudhary, learned Advocate has been appointed as a special Counsel in the present case for respondents and today he is busy in the Hon'ble High Court and, therefore, time be granted.

3. Learned Advocate for the applicant has filed written notes of arguments. It is taken on record and copy thereof has been supplied to the learned P.O. for onward transmission to learned Special Counsel Shri Choudhary.

4. S.O. to 13.8.2019.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**ORIGINAL APPLICATION NOS. 535 AND 575 BOTH OF 2013
(Smt. Shubhangi A. Shejul & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

None appears for the applicants in both the cases. Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. In view of non availability of Division Bench, these cases are removed from the board with liberty to both the sides to ask for circulation if occasion arises.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**C.P. 16/2019 IN O.A. 506/2018
(Dr. Shobha P. Chandak V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

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

2. Learned P.O. files on record communication dtd. 11.7.2019 received to him from the concerned respondents mentioning therein that proposal in respect of present applicant has been submitted to the Finance Department and, therefore, four weeks time may be granted.

3. In the circumstances, S.O. to 20.8.2019.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**C.P. 1/2019 IN O.A. 534/2014
(Madhukar S. Intle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

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

2. Learned P.O. files on record communication dtd. 12.7.2019 received to him from the concerned respondents stating that against the order of the Tribunal in O.A. a writ petition has been filed by the respondent State, which is yet to be heard by the Hon'ble High Court. However, in pursuance of the order of the Tribunal necessary proposal for grant of benefits is called for. In the circumstances, it is directed that the proposal be expedited and progress thereof be communicated to the Tribunal within next 15 days.

3. S.O. to 3.8.2019.

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

MEMBER (A)

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

**T.A. 5/2018 (W.P. 926/2018) WITH T.A. 6/2018 (W.P. 9314/2018)
(Pravin C. Janjal & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : A.R. CHADHA, MEMBER (A).

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

DATE : 12.7.2019

ORAL ORDER :

None appears for the applicants in both the cases. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. At the request of learned C.P.O., S.O. to 31.7.2019 for final hearing.

MEMBER (A)

ARJ ORAL ORDER 12.7.2019

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

**CHAMBER APPEAL NO. 16 OF 2019
(Smt. Gangubai R. Taide Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, VICE CHAIRMAN

DATE : 12.07.2019

ORAL ORDER :

Heard Shri K.N. Farooqui, learned Advocate for the applicant.

2. Vide order dated 10.06.2019 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 04.04.2019 the office has raised the following office objections:-

- 1) Detail addresses of respondent Nos. 2 to 4 not given;
- 2) Appointment order of applicant's husband is not placed on record as annexure;
- 3) Death certificate of applicant's husband is not placed on record as annexure; and
- 4) O.A. appears to be barred by limitation in view of death of applicant's husband in the year 2003.

3. Vide office note dated 10.06.2019 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicant and office objections not removed.

4. The applicant has made prayer for condonation of delay of about 13 days in Chamber Appeal No. 16/2019.

CHAMBER APPEAL NO. 16/2019

5. The learned Advocate for the applicant appeared today and undertakes to remove the office objections within reasonable period.

6. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objection in spite of repeated chances. The fact that the O.A. is for pension and pesionery benefits / interest on delayed payment and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the interest of justice to allow the appeal by condoning delay of about 13 days caused in filing Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:

ORDER

- (i) Delay of about 13 days caused in filing Chamber Appeal stands condoned.
- (ii) The Chamber Appeal No. 16/2019 is allowed as the applicant undertakes to remove the office objections within a reasonable period.
- (iii) Registrar of this Tribunal Bench at Aurangabad is directed to place this matter before the appropriate Bench for hearing after removing the office objections by the learned Advocate for the applicant.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 404 OF 2018
(Shri Uddhav G. Gangawane Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

Heard Shri Anant D. Gadekar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 5 and Shri R.M. Jade, learned Advocate for respondent No. 6.

2. Learned Advocate for respondent No. 6 submits that he adopts affidavit in reply filed by respondent Nos. 3 to 5.

3. At the request of learned Advocate for the applicant, S.O. to 06.08.2019 to file rejoinder affidavit, if any.

MEMBER (A)

ORAL ORDER 12.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 156 OF 2018
(Shri Dnyanoba B. Panchal Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed a copy of communication dated 25.04.2019 received to him from Special Inspector General of Police (Prison) pursuant to the order dated 28.01.2019. The copy of the said communication is taken on record and marked as document 'X' for the purpose of identification.

3. In the aforesaid communication it is very clearly stated that, "if candidates from selection list are not joined duty then the appointment orders would be issued to the candidates from waiting list. It is further stated in the aforesaid communication that if candidates from waiting list are not joined the duty, there is no provision to call additional / second waiting list". As there was no provision for additional / second waiting list, no candidate has been called thereafter.

3. In view of the above, nothing survives in the present Original Application. However, learned Advocate for the applicant seeks time to take

O.A. NO. 156 OF 2018

instructions from the applicant for withdrawal or for passing necessary orders. Time granted.

4. S.O. to 17th July, 2019.

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

MEMBER (A)

ORAL ORDER 12.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 141 OF 2018
(Smt. Nanda P. Bankar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

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

2. It appears from the proceedings that separate affidavit in replies on behalf of respondent Nos. 1 & 2 have already been filed on record.

3. In view of the above, the present case is admitted. Learned Presenting Officer waives notice for admission.

4. The present case be placed before the Division Bench for final hearing on 07.08.2019.

MEMBER (A)

ORAL ORDER 12.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 68 OF 2018
(Shri Kishan D. Kadam Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, present.

2. It appears from the proceedings that no rejoinder affidavit is filed on record by the applicant.

3. In the circumstances, S.O. to 25.07.2019.

MEMBER (A)

ORAL ORDER 12.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 39 OF 2018
(Shri Ravi S. Wankhade Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

Heard Shri Sandesh R. Patil, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed a copy of the case details downloaded from the website of Hon'ble Bombay High Court Bench at Aurangabad. The copy of the same is taken on record and marked as document 'X' for the purposes of identification.

3. On perusal of the aforesaid copy of the case details it reveals that the Writ Petition St. No. 20910 of 2019 in the case of THE STATE OF MAHARASHTRA VS. SMITA UTTAM DANDI AND OTHERS. According to the learned Presenting Officer, it is a similar case to the present case.

4. In view of the above, S.O. to 05.09.2019.

MEMBER (A)

ORAL ORDER 12.07.2019-HDD

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

**C.P.NO. 57/2018 IN O.A.NO. 210/2013
(Shri Madhukar R. Mapari Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

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

2. Learned Presenting Officer submits that pursuant to the order of this Tribunal and assurance given by the respondents, the proposal was submitted to the Finance Department on 11.4.2019. However, the same is yet to be decided.

3. The respondents are directed to submit an affidavit within a period of 10 days from this order. The concerned Joint Secretary is also advised to pursue the matter personally with the Finance Department.

4. S.O. to 24.07.2019.

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

MEMBER (A)

ORAL ORDER 12.07.2019-HDD

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

**C.P.NO. 21/2019 IN O.A.ST.NO. 1857/2017
(Shri Vasant N. Phad Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

Heard Shri A.M. Nagarkar, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in C.P. No. 21/2019, returnable on 08.08.2019.

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

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

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

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

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

8. S.O.to 08.08.2019.

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

MEMBER (A)

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

**ORIGINAL APPLICATION NO. 616 OF 2019
(Shri Waman N. Bondar Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

Heard Shri D.T. Devane, 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 13.08.2019.

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

4. Applicant is authorized and directed to serve on 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

O.A. NO. 616 OF 2019

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

8. S.O.to 13.08.2019.

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

MEMBER (A)

ORAL ORDER 12.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 939 OF 2017
(Shri Dattatraya S. Bargaje Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

DATE : 12.07.2019.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 15.07.2019.

MEMBER (A)

ORAL ORDER 12.07.2019-HDD

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

**ORIGINAL APPLICATION NO. 328 OF 2019
(Shri Mahadeo Pandharinath Ghuge Vs. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A).

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

DATE : 12.07.2019.

ORAL ORDER :

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

2. At the request and by consent of both the parties, the present case is taken up for final disposal.

3. In the present Original Application the applicant is claiming following reliefs :-

“A) By issue of appropriate order the action Respondent No. 2 fixing Pensionable pay of applicant treating him retired as Police Constable be held and declared illegal.

B) The Respondents be directed to undertake the exercise of re-fixation of Pensionable pay taking into consideration pay earned by applicant in last ten months of service and further be directed to sanction all consequential and retiral benefits owing to re-fixation of pensionable pay.”

4. The brief facts of the case as narrated by the learned Advocate for the applicant are that :

O.A. NO. 328 OF 2019

i) The applicant was given *ad hoc* promotion to the post of Police Sub-Inspector (Dog Squad) by an order dated 18.12.2007, Annexure 'A-3', page-15 of paper book of O.A.. However, at the relevant time recruitment rules were not finalized;

ii) The applicant was given *ad hoc* promotion with one day break. The applicant was retired on attaining the age of superannuation on 31.05.2018 and his pension was fixed in the original cadre of Head Constable because of non-regularization of promotion;

iii) Accordingly, he retired and his pension was fixed in the scale of Head Police Constable.

iv) The Government vide order dated 15.05.2019, which is marked as document 'X', regularized his promotion w.e.f. 1.6.2012. Further, the Government vide corrigendum dated 3.5.2019 marked as, 'Y' regularized his promotion w.e.f. 17.01.2008.

5. In view the above the prayer now left is that his pension be fixed in the scale of PSI.

6. In view of the above, the respondents are directed to submit his revised pension papers and the revised

O.A. NO. 328 OF 2019

pension be fixed within a period of three months along with payment of arrears.

7. With the above observations and directions the present Original Application stands disposed of without any order as to costs.

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

MEMBER (A)

ORAL ORDER 12.07.2019-HDD