

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

O. A. NOS.666/2015, 667/2015, 668/2015
(Shri Madhukar Salunke & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Shri V.G.Pingle learned Advocate for the applicants and Shri V.R.Bhumkar learned Presenting Officer for respondents in all the cases.

2. It is a common ground that the concerned respondent has not forwarded a proposal for revision of pension to A.G. Mumbai. Documents in this regard are filed by the applicants themselves.

3. Learned P.O. states that he will file a short affidavit during the course of the day. He also undertakes to serve copy of the same on the other side.

4. S.O. to 02-11-2018 for reporting progress in the matter.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

**ORIGINAL APPLICATION NO.791/2015
(Shri Bharat Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Shri P.D.Suryavanshi learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. Case is not on board. Production is allowed. A group of cases were heard and decided by the Tribunal on 15-03-2017. It appears that the present O.A. was heard alongwith the O.A.Nos.788, 789, 790 of 2015 and O.A.Nos.03 & 04 of 2016 but similar order remained to be passed in the present O.A.

3. In the circumstances, for the reasons already given in the decision dated 15-03-2017, present O.A. is also dismissed without any order as to costs.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

ORIGINAL APPLICATION NO.406/2017
(Shri Rajendra Kankutey V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Shri M.B.Kolpe learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. It is to be noted that the O.A. has been adjourned from time to time for no reasons. However, in the interest of justice, at the request of learned Advocate for the applicant, S.O. to 09-10-2018.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

ORIGINAL APPLICATION NO.750/2017
(Smt. Surekha Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Shri A.M.Nagarkar learned Advocate for the applicant and Shri V.D.Salunke learned Special Counsel for the respondents.

2. Oral arguments of both sides are heard. Learned Advocate for the applicant has also filed written notes of arguments alongwith synopsis of case laws.

3. Shri V.D.Salunke also seeks liberty to file written notes of arguments in the matter. He states that within 2 days written notes of arguments will be filed. Hence, the case is reserved for order.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

ORIGINAL APPLICATION NO.775/2017
(Shri Dilip Sangle & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Shri Sudhir Patil learned Advocate holding for Dr. Kalpalata Patil-Bharaswadkar learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned Advocate for the applicant files affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 10-10-2018.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

ORIGINAL APPLICATION NO.778/2017
(Shri Parshuram Brahmne & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Shri Sudhir Patil learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned Advocate for the applicant files affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 10-10-2018.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

ORIGINAL APPLICATION NO.940/2017
(Shri Chandrashekar Gangurde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Shri Sudhir Patil learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Learned Advocate for the applicant files affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 10-10-2018.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

**ORIGINAL APPLICATION NO.926/2017
(Shri Manaji Surose V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for respondents and Shri G.N.Patil learned Advocate for respondent no.2.

2. Upon hearing both sides, it appears that short issue is involved in the present application is as to whether the medical procedure carried on the wife of the applicant (paper book page 19) for replacement of mitral valve would come within categories of 5 ailments as provided by the G.R. dated 29-07-1999 (Annexure A-13) thereby claiming 100% medical reimbursement.

3. Affidavit in reply of the concerned respondents particularly para 20 (paper book page 104) shows that as per the report of certain committee said procedure would not fall under those 5 categories mentioned in the G.R., and therefore, 100% reimbursement cannot be granted.

4. It is to be noted that the earlier claim of the applicant for medical reimbursement was rejected by the concerned respondents on the

ground that the family of the present applicant is not within the numbers as prescribed (Annexure A-4, paper book page 22). Said decision was challenged by the applicant in O.A.No.10/2017. A copy of judgment in the said O.A. is placed at paper book page 61 (Annexure A-8). The judgment would show that the respondents have accepted their mistake of rejection of claim of the applicant and submitted that new proposal for sanction was submitted to the Government on 13-06-2017. Now, the said proposal is stuck on the ground that 100% medical reimbursement cannot be granted as per the decision of certain committee. Constitution of committee or its decision, however, is not on record.

5. In the circumstances, respondents are directed to file documents regarding composition of the committee i.e. members of the committee along with their qualification and the decision rendered by them of which reference is made by the respondents.

6. S.O. to 08-10-2018 for compliance of the above directions.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO.932/2017
(Shri Walkik Kande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Learned P.O. files on record decision rendered in appeal regarding regularization of the suspension period. Same is taken on record and marked as document "X" for identification.

3. Learned Advocate for the applicant seeks time to take instructions and make submissions in that regard.

4. At her request, S.O. to 09-10-2018.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Smt. Suchita Dhongde learned Advocate for the applicant has filed **leave note** on record. Shri D.R.Patil learned Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 11-10-2018.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

ORIGINAL APPLICATION NO.314/2018
(Shri Govind Surewad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Shri V.B.Dhage learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. None appears for the applicant. No service affidavit is filed though fresh notices were issued vide order dated 17-07-2018.

3. S.O. to 03-10-2018 either for taking steps by the applicant or for passing necessary order.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

ORIGINAL APPLICATION NO.329/2018
(Shri Nitin Wadkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Shri N.K.Tungar learned Advocate for the applicant is **absent**. Shri B.S.Deokar learned Presenting Officer for respondents is present.

2. None is present for the applicant. Nobody had appeared on the last date also.

3. Hence, S.O. to 03-10-2018 either for hearing or for passing necessary order.

VICE CHAIRMAN

YUK ORAL ORDER 12-09-2018 F

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

ORIGINAL APPLICATION NO.333/2018
WITH

CAVEAT NO.25/2018

(Dr. Manish Sutwane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE CHAIRMAN

DATE : 12.09.2018

ORAL ORDER :

Heard Shri H.A.Joshi learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned P.O. seeks time to take instructions regarding fresh transfer proposal forwarded to the office of Hon'ble Chief Minister. He files copy of communication dated 12-09-2018 in this regard, which is marked as document "X" for identification. The communication shows that proposal is pending with the Hon'ble Chief Minister.

3. Learned Advocate for the applicant points out that on previous occasion also similar submissions were advanced by the learned P.O. He submits that the present applicant is suffering from Cancer at the advanced stage and

the applicant is going through chemotherapy procedure.

4. It appears that the proposal is stuck in administrative delay and red tapism. In the circumstances, concerned Secretary in the Mantralaya is directed to bring the above facts and situation to the notice of Hon'ble Chief Minister by placing a copy of this order before the Hon'ble Chief Minister and the decision, if any, thereon rendered by the Hon'ble Chief Minister be placed on record on the next date positively i.e. on 04-10-2018.

5. S.O. to 04-10-2018.

6. Parties to act on the steno copy and hamudst of this order.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 608/2018
(Narendra S. Suryawanshi & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for
the applicants and Smt. Sanjivani Deshmukh,
learned Presenting Officer for respondents.

2. At the request of learned P.O., S.O. to
9.10.2018 for filing affidavit in reply of the
respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 92/2018
(Ravi R. Pimpale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

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

2. Shri Wagh, learned Advocate submits that today also Shri Shinde, learned Advocate for the applicant has instructed him to seek adjournment in the present matter. At his request, S.O. to 4.10.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 104/2018
(Dr. Nandkishor D. Karwa V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 9.10.2018 for filing short affidavit as per earlier order of the Tribunal.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 105/2018
(Dr. Nitin R. Agarwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondents.

2. At the request of learned P.O., S.O. to 9.10.2018 for filing short affidavit as per earlier order of the Tribunal.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 160/2018
(Nilesh P. Bansude V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate holding for Shri S.S. Panale, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply of res. nos. 1 to 4. It is taken on record and copy thereof has been served upon the other side.

3. In the circumstances, S.O. to 8.10.2018 for filing rejoinder, if any and hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 218/2018
(Sonali D. Shirsat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2, Shri M.B. Kolpe, learned Advocate for respondent no. 3, Shri H.A. Joshi, learned Advocate for respondent nos. 4 to 27 and Shri M.P. Bhaskar, learned Advocate for respondent nos. 28 to 30.

2. With the consent of both the sides, S.O. to 19.11.2018 for admission hearing along with similar matters.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 224/2018
(Snehal R. Harade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Smt. Saisagar A. Ambilwade, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2, Shri M.B. Kolpe, learned Advocate for respondent no. 3, Shri H.A. Joshi, learned Advocate for respondent nos. 4 to 14 and Shri M.P. Bhaskar, learned Advocate for respondent nos. 15 to 17.

2. With the consent of both the sides, S.O. to 19.11.2018 for admission hearing along with similar matters.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 258/2018
(Shraddha K. Kandakure V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2, Shri M.B. Kolpe, learned Advocate for respondent no. 3, Shri H.A. Joshi, learned Advocate for respondent nos. 4 to 23 and Shri M.P. Bhaskar, learned Advocate for respondent nos. 24 to 26.

2. With the consent of both the sides, S.O. to 19.11.2018 for admission hearing along with similar matters.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 239/2018
(Priyanka P. Chothe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2, Shri M.B. Kolpe, learned Advocate for respondent no. 3, Shri H.A. Joshi, learned Advocate for respondent nos. 5, 7, 8, 14, 19, 23, 24, 29, 34, 36, 39, 40, 42, 45 & 46 and Shri M.P. Bhaskar, learned Advocate for respondent nos. 6 & 44. None appears for other respondents.

2. With the consent of both the sides, S.O. to 19.11.2018 for admission hearing along with similar matters.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 250/2018
(Girish M. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Smt. Saakshi Joshi, learned Advocate holding for Smt. Surekha Mahajan, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent authority, Shri M.B. Kolpe, learned Advocate for respondent no. 1, Shri G.V. Mohekar, learned Advocate for respondent nos. 10 & 21. None appears for other respondents.

2. Shri Mohekar, learned Advocate has filed reply of res. nos. 10 & 21. It is taken on record and copy thereof has been served upon other side.

3. With the consent of both the sides, S.O. to 19.11.2018 for admission hearing along with similar matters.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 19.11.2018 for admission hearing along with similar matters.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 561/2018
(Yogesh Y. Suryawanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri S.B. Narwade Patil, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 to 4.

2. Shri Umakant B. Deshmukh, learned Advocate has filed V.P. for res. no. 5. It is taken on record. He seeks time to file affidavit in reply of res. no. 5. Similarly learned P.O. also seeks time to file affidavit in reply of res. nos. 1 to 4. At their request, S.O. to 9.10.2018 for filing affidavit in reply by the respective respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 566/2018
(Dinkar L. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for
the applicants and Smt. Priya R. Bharaswadkar,
learned Presenting Officer for respondents.

2. At the request of learned P.O., S.O. to
22.10.2018 for filing affidavit in reply of the
respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 519/2018
(Vishwanath U. Choudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents on the point of continuation of interim relief granted by the Tribunal earlier.

2. The earlier order dtd. 19.7.2018 would show that this Tribunal had granted interim relief against execution and implementation of the impugned declarations dtd. 7.7.2018 and 12.7.2018 made by the res. no. 2 – the M.P.S.C. Vide the said declarations, the res. no. 2 – the M.P.S.C. – had added some posts for Scheduled Tribe category candidates, though in the original advertisement (Annex. A. 3 page 17), the posts 'nil' were reserved for the S.T. category candidates.

3. The present applicant has challenged this exercise of the res. no. 2 on the ground that, since he was under impression that no posts for S.T. category are available, he being from S.T. category did not file any application for the post.

4. Learned P.O. points towards clause 4.1 of the advertisement, which would show that the res. no. 2

- the M.P.S.C. - has expressed the probability of change in the number of posts as well as certain changes in the reservation. It was, therefore, submitted that all the candidates were made aware that, there may be change in the reservation thereby putting a notice to all the candidates that reservation to even candidates from S.T. category may be provided. The interim relief was granted by the Tribunal vide order dtd. 19.7.2018 to the execution and implementation of the impugned declarations dtd. 7.7.2018 & 12.7.2018 and even steno copy to the learned P.O. was allowed for service of the said order upon the res. no. 2 - the M.P.S.C.

5. Learned P.O. submits that before the interim order dtd. 19.7.2018 reached to the office of res. no. 2 the M.P.S.C., on 21.7.2018 the M.P.S.C. declared the result as per earlier examination and ultimately 323 candidates from S.T. category were found eligible for consideration from the total candidates, who had already applied under the original advertisement. It was submitted that, since the process has already started before communication of the interim order dtd. 19.7.2018 and now main examination is already held, the interim relief granted by the Tribunal vide order dtd. 19.7.2018 has become infructuous.

6. Learned Advocate for the applicant submits that, in fact, the said process is as per the original advertisement and in view of the interim relief it cannot cover the fresh declarations, which are stayed by the Tribunal.

7. Upon hearing both the sides, in my view, as the process has already started by declaring the marks and, therefore, now the interim relief granted by the Tribunal vide order dtd. 19.7.2018 to the execution and implementation of the declarations dtd. 7.7.2018 & 12.7.2018, cannot be continued.

8. In the circumstances, the prayer of the learned Advocate for the applicant for continuation of interim relief granted by the Tribunal vide order dtd. 19.7.2018 is rejected for the reasons mentioned supra.

9. Accordingly, the interim relief granted by the Tribunal earlier vide order dtd. 19.7.2018 is hereby modified and it is declared that appointments, if any, made, shall be subject to final decision in the present O.A.

10. Learned P.O. submits that, she would take instructions regarding affidavit in reply of res. no. 1. At her request, S.O. to 10.10.2018 either for filing affidavit in reply of res. no. 1 or for further hearing.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 534/2018
(Manoj S. Gavhane & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicants and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents on the point of continuation of interim relief granted by the Tribunal earlier.

2. The earlier order dtd. 19.7.2018 would show that this Tribunal had granted interim relief against execution and implementation of the impugned declarations dtd. 7.7.2018 and 12.7.2018 made by the res. no. 2 – the M.P.S.C. Vide the said declarations, the res. no. 2 – the M.P.S.C. – had added some independent posts, though in the original advertisement (Annex. A. 2 page 22), it was not.

3. The present applicants have challenged this exercise of the res. no. 2 on the ground that, since they were under impression that there were no independent posts, they did not file applications for the post.

4. Learned P.O. points towards clause 4.1 of the advertisement, which would show that the res. no. 2 – the M.P.S.C. – has expressed the probability of

change in the number of posts as well as certain changes in the reservation. It was, therefore, submitted that all the candidates were made aware that, there may be change in the reservation. The interim relief was granted by the Tribunal vide order dtd. 19.7.2018 to the execution and implementation of the impugned declarations dtd. 7.7.2018 & 12.7.2018 and even steno copy to the learned P.O. was allowed for service of the said order upon the res. no. 2 – the M.P.S.C.

5. Learned P.O. submits that before the interim order dtd. 19.7.2018 reached to the office of res. no. 2 the M.P.S.C., on 21.7.2018 the M.P.S.C. declared the result as per earlier examination. It was submitted that, since the process has already started before communication of the interim order dtd. 19.7.2018 and now main examination is already held, the interim relief granted by the Tribunal vide order dtd. 19.7.2018 has become infructuous.

6. Learned Advocate for the applicant submits that, in fact, the said process is as per the original advertisement and in view of the interim relief it cannot cover the fresh declarations, which are stayed by the Tribunal.

7. Upon hearing both the sides, in my view, as the process has already started by declaring the marks and, therefore, now the interim relief granted by the Tribunal vide order dtd. 19.7.2018 to the execution and implementation of the declarations dtd. 7.7.2018 & 12.7.2018, cannot be continued.

8. In the circumstances, the prayer of the learned Advocate for the applicant for continuation of interim relief granted by the Tribunal vide order dtd. 19.7.2018 is rejected for the reasons mentioned supra.

9. Accordingly, the interim relief granted by the Tribunal earlier vide order dtd. 19.7.2018 is hereby modified and it is declared that appointments, if any, made, shall be subject to final decision in the present O.A.

10. Learned P.O. submits that, she would take instructions regarding affidavit in reply of res. no. 1. At her request, S.O. to 10.10.2018 either for filing affidavit in reply of res. no. 1 or for further hearing.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 537/2017
(Parmila C. Ubale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 to 3 and Shri B.R. Kedar, learned Advocate for res. no. 4.

2. Learned P.O. submits that copy of Recruitment Rules are yet to be received. In the Circumstances, S.O. to 8.10.2018 for filing copy of recruitment rules as per order dtd. 26.6.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**M.A. 194/2018 IN O.A. ST. 704/2018
(Nilesh S. Badgajar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri S.R. Patil, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned C.P.O., S.O. to 9.10.2018 for filing affidavit in reply of the respondents in the present M.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**M.A. 330/2018 IN C.P. 52/2018 IN O.A. 563/2016
(Devidas K. Kardule since dead through his LRs V/s. State of Maharashtra &
Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Advocate has filed copy of certificate regarding legal heirs of the deceased applicant. It is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned P.O. Additionally in the P.P.O. also the name of first legal heir i.e. wife of the deceased applicant finds place.

3. In view of filing on record the legal heirs certificate, the present M.A. is allowed without any order as to costs.

4. Learned Advocate to bring legal heirs in the C.P. within a period one week from today. C.P. be placed on board on 19.9.2018.

VICE CHAIRMAN

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

**M.A. ST. 791/2017 IN O.A. 326/2016
AND**

**M.A. ST. 792/2017 IN O.A. 555/2015
(Madhav C. Padvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri Ganesh Dahate, learned Advocate holding for Shri F.R. Tandale, learned Advocate for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents in both the matters.

2. Shri Dahate, learned Advocate holding for Shri Tandale, learned Advocate submits that, since there is no D.B. today, the present matters be adjourned. In the circumstances, S.O. to 11.10.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 237/2013
(Kaveri V. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri P.G. Gunale, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 to 4 and Shri S.B. Patil, learned Advocate for respondent no. 6. None appears for respondent no. 5.

2. In view of non availability of D.B., the present matter be placed for final hearing on 9.10.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 570/2013
(Nitin S. Salunkhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

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

2. Learned P.O. seeks time to file reply to the amended O.A. On 10.7.2018 last chance was granted therefore and matter was posted to 7.8.2018. On 7.8.2018 no such reply was filed and even today also time is sought for reply to the amended O.A.

3. In the circumstances, S.O. to 8.10.2018 for filing reply to the amended O.A. with a forewarning that, in case reply to the amended O.A. is not filed on the next date, the Tribunal would be constrained to take a strict action against the concerned respondents including imposition of heavy costs on the concerned respondents personally.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 308/2014
(Ambadas N. Paikrao & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

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

2. Learned P.O. submits that the decision of the concerned respondent on the representation reference of which is made initially in the order dtd. 29.3.2017 and thereafter the matter was adjourned from time to time, is yet awaited. In the circumstances, without waiting for the decision of the concerned respondents on the representation, S.O. to 4.10.2018 for final hearing. Learned P.O. is at liberty to file copy of decision of respondents, if any, on the representation.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 914/2016
(Ravi A. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri P.G. Gunale, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. The Division Bench is not available today. Shri Gunale, learned Advocate holding for Shri Maniyar, learned Advocate for the applicant seeks adjournment. In the circumstances, S.O. to 4.10.2018 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 598/2015
(Noorunnisa Begum V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.9.2018

ORAL ORDER :

Heard Dr. Kalpalata Patil Bharaswadkar,
learned Advocate for the applicant and Shri B.S.
Deokar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 10.10.2018 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 561/2016
(Sukhdev S. Chitte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. At the request of Shri Kulkarni, learned Advocate holding for Shri Dhongde, learned Advocate for the applicant, S.O. to 9.10.2018 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 419/2018
(Rajendra P. Bagade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.9.2018

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 to 3 and Shri N.L. Jadhav, learned Advocate for respondent no. 4.

2. Learned C.P.O. files on record written notes of arguments of res. no. 2. The same is taken on record. The present matter is already heard by learned Member (J). In the circumstances, with the consent of both the sides, S.O. to 24.9.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-9-2018

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

**ORIGINAL APPLICATION NO. 698/2018
(Shri Vishnu Narayan Wayabase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.9.2018

ORAL ORDER :

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

2. The order of suspension dtd. 30.8.2018 issued by the respondent no. 2 – the Superintendent of Police, Beed – against the present applicant, who is serving as a Police Naik, is challenged in the present O.A. The copy of impugned suspension order is at Exh. B page 12 of the O.A., which would show that for some certain alleged misconduct, the authority is contemplating a departmental enquiry against the applicant and, therefore, the present applicant is placed under suspension.

3. Learned Advocate submits that the reasons given in the suspension order does not stand at all as those alleged facts are false. He submits that the res. no. 2 is not a competent authority to issue the order of suspension. He relied on the notification dtd. 12.1.2011 (page 14).

4. Learned P.O., however, counters the said submissions and submits that the suspension order is passed contemplating the D.E. and presently there is no need to go into the merits of the case. He submits that the notification relied by the applicant is

regarding Police Officers like Police Inspector and the same is not applicable to the Police Constable & Police Naik, whose appointing authority is the Superintendent of Police.

5. Considering the submissions of both the sides and the material on record, in my opinion, there is no illegality in the impugned order of suspension. The Superintendent of Police is admittedly a appointing authority of the present applicant. In the circumstances, the notification on which the learned Advocate for the applicant has placed reliance would not be applicable in the present matter.

6. Accordingly, the present O.A. is rejected without any order as to costs.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 476 OF 2018

[Smt. Aasha S. Khairnar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. Learned Presenting Officer for the respondents seeks time for filing affidavit in reply.

3. In view of the fact that no interim relief is granted, the respondents shall positively file affidavit in reply on the next date, upon which issue of grant of interim relief would be considered.

4. S.O. to 4th October, 2018 for filing affidavit in reply.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 374 OF 2018

[Shri Girish B. Deshmukh Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. Learned Presenting Officer for the respondents seeks time for filing affidavit in reply.

3. S.O. to 4th October, 2018 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 197 OF 2018

[Shri Sanjot V. Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri H.A. Joshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for filing affidavit in rejoinder.

3. Learned Presenting Officer also seeks time for filing affidavit in reply on behalf of respondent No. 1. Time granted.

3. S.O. to 27th September, 2018 for filing affidavit in rejoinder by the applicant and for filing affidavit in reply by respondent No. 1.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 193 OF 2018

[Shri Chandrashekhar V. Borde Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri H.A. Joshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant adverted the attention of the Tribunal towards paragraph No. 16 of affidavit in reply of respondent No. 2, M.P.S.C., that due to lack of required provision in the online system application of the applicant was not accepted. However, now the application of the applicant is accepted and would be considered for selection in due course. In view of the same the learned Advocate for the applicant submits that accepting the said submission, the present Original Application may be disposed of.

3. In the circumstances, the statement is accepted. Interim directions of accepting the applicant with a rider that the result shall not be declared unless M.P.S.C. chooses to declare it in its own wisdom is hereby vacated. It is hereby

O.A. NO. 193 OF 2018

clarified that the result of the present applicant shall also be declared like other candidates.

4. With the above, the present Original Application is disposed of without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

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

WITH

M.A. 226/2018 IN R.A.ST.1133/2018 IN O.A. 456/2016

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. Since Division Bench is not available, S.O. to 4th October, 2018. The present contempt petition be kept along with review application and delay condonation application.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 08 OF 2018

[Shri Devendra S. Jade Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Smt. Pratibha Bharad, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. It appears from the proceedings that nobody appeared on the last date i.e. on 6.8.2018. Today also nobody appeared for the applicant. In the circumstances, S.O. to 11th October, 2018, as a last chance, either for hearing on admission or for passing necessary orders.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 961 OF 2017

[Shri Manoj J. Agale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri Suvidh S. Kulkarni, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that during the course of the day documents along with application would be filed in terms of order passed by this Tribunal on 01.08.2018. The copy of the same be served on the other side. Upon filing the same, the present case be placed for hearing on 11th October, 2018.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 957 OF 2017

[Shri Madan D. Dube Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri J.M. Murkute, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent No. 1 and Shri Shamsundar B. Patil, learned Advocate for respondent Nos. 2 & 3.

2. Learned Advocate Shri Shamsundar B. Patil submits that during the course of the day he will file affidavit in reply on behalf of respondent Nos. 2 & 3. The copy of the same be served on the other side.

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

4. S.O. to 22nd October, 2018 for filing affidavit in rejoinder, if any.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 946 OF 2017

[Shri Namdeo L. More Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri Kakasaheb B. Jadhav, 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 he will file affidavit in reply on behalf of respondent Nos. 1 to 3 & 5. The copy of the same be served on the learned Advocate for the applicant.

3. S.O. to 15th October, 2018 for hearing. In the meantime liberty to the applicant to file rejoinder affidavit, if any is hereby granted.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 933 OF 2017

[Neha K. Parve Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri M.V. Bhoureka, learned Advocate holding for Shri S.K. Chavan, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 2 and Shri Ganesh S. Dahale, learned Advocate for respondent No. 3.

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

3. S.O. to 10th October, 2018 for filing affidavit in reply. Interim relief to continue till then.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 805 OF 2018

[Dr. Vanita N. Puri Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri Vishnu Dhoble, learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 3 and Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for respondent No. 4.

2. Learned Presenting Officer submits that presently affidavit in reply of respondent Nos. 1 & 2 is not required. In the circumstances, S.O. to 11th October, 2018 for hearing.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 786 OF 2017

[Shri Kailash A. Pardeshi Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that presently affidavit in replies of respondent Nos. 2 & 3 are not required.

3. At the request of learned Advocate for the applicant, S.O. to 10th October, 2018 for hearing.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 497 OF 2017

[Shri Sayyad Abrar Hussain Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27th September, 2018 for hearing on admission.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 685 OF 2015

[Shri Rahul B. Kulkarni & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Shri R.P. Adgaonkar, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. Since nobody appeared for the applicant, S.O. to 10th October, 2018.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

M.A.NO. 338/2018 IN O.A.ST.NO. 1542/2018

[Shri Kisan D. Pawar & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. It appears from the oral argument advanced so far by the learned Advocate for the applicant the Tribunal is not satisfied with the same. In the circumstances, place the present case before the D.B. on 24th September, 2018.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

M.A.NO. 329/2018 IN O.A.ST.NO. 1393/2018

[Dr. Rekha K. Bhandare Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Smt. Jayshree P. Reddy, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant in one sentence submits that there is no delay caused in filing the accompanying O.A. and on the other hand submits that delay of about 330 days be condoned. It appears that the learned Advocate for the applicant is not firm on her submission. In the circumstances, S.O. to 24th September, 2018 for making submissions orally, as well as, in writing.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 700 OF 2018

[Shri Khanderao R. Darade Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri G.J. Pahilwan, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Upon hearing learned Advocate for the applicant, it appears that the present O.A. is filed under the wrong impression that the concerned respondent is bound to fill 25% of the posts from the employees as it is mentioned in the advertisement dated 30.07.2018 (Annexure 'A-4') page-83 clause No. 2.2. The applicant fails to notice that the said quota would be filled in only if fit candidates are found. The application, therefore, does not deserve to be admitted. However, to have an elaborate hearing on this point from the said of the applicant, at the request of the learned Advocate for the applicant, S.O. to 14th September, 2018.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 596 OF 2018

[Dr. Sunil P. Bhandare Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri Gajanan S. Shembole, 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 16th October, 2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the

O.A. NO. 596 OF 2018

questions such as limitation and alternate remedy are kept open.

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

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

8. S.O. to 16th October, 2018. The present case be kept along with O.A. No. 597/2018.

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

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 597 OF 2018

[Dr. Jotsana A. Reddy Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 16th October, 2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the

O.A. NO. 597 OF 2018

questions such as limitation and alternate remedy are kept open.

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

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

8. S.O. to 16th October, 2018.

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

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 696 OF 2018

[Shri Sandeep O. Chetti Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 4th October, 2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the

O.A. NO. 696 OF 2018

questions such as limitation and alternate remedy are kept open.

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

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

8. Considering the fact that the oral interviews are being conducted and the present applicant *prima facie* found to be fit for inclusion in Sr. No. 1 of the short-listing criteria as can be seen vide Annexure 'A-4', page-32, it is hereby directed that the respondent No. 2, M.P.S.C., shall conduct the oral interview of the present applicant subject to further orders in the present O.A.

9. S.O. to 4th October, 2018.

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

VICE CHAIRMAN

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

M.A.NO. 250/18 IN O.A.345/18 WITH M.A.184/18
[Smt. Aasha S. Khairnar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for respondent Nos. 1 & 2, Shri Amit S. Savale, learned Advocate for respondent Nos. 3 & 4 and Shri Sanjay B. Bhosale, learned Advocate for respondent No. 5.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 and 2.

3. Upon hearing both the sides, particularly on the issue of vacation of interim relief granted earlier by this Tribunal in O.A. No. 345/2018, it appears that respondent No. 5, Dr. Sanjeev S. Walvi, is claiming that the applicant is being from Group 'B' Medical Officer his posting at Training Institute at Nandurbar was only a stop-gap arrangement and, therefore, he was liable to be transferred from that post. Learned Advocate Shri S.D. Joshi submits that in fact vide judgment of Maharashtra Administrative Tribunal Mumbai, Bench at Nagpur, in O.A. Nos. 254 & 350 both of 2015 dated 6th January, 2016,

**M.A.NO. 250/18 IN
O.A.345/18 WITH
M.A.184/18**

the Group 'B' Medical Officers are also held to be Group 'A' Medical Officers for the reasons stated therein and in fact the present applicant was not transferred on the date of filing of the present O.A. though now he is presently transferred. Therefore, the application for amendment is filed for bringing on record these subsequent developments.

4. Considering the fact that by amendment the O.A., subsequent developments are sought to be brought on record, the said application is hereby allowed. The present applicant shall carry out the necessary amendment in the OA.

5. Respondent Nos. 1 & 2 shall also file reply to the amended O.A. The issue of vacation of interim relief would be considered upon filing of affidavit in reply.

6. Considering the fact that the interim relief is running since long, respondent Nos. 1 & 2 are directed to file affidavit in reply on the next date, positively.

7. With this, S.O. to 4th October, 2018.

VICE CHAIRMAN

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

**M.A.ST. 702/18 WITH M.A.ST.701/18 IN O.A. 517/15
[Shri Pathan Wajiskhan Vs. State of Maharashtra & Ors]**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant has filed on record replacement of the M.A. with verification. The same shall be done at the office of this Tribunal.
3. Upon acceptance of the same, issue notices to the respondents in M.A. St. No. 702/2018 on the current address as stated in the substituted MAs, returnable on 29th October, 2018.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. 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.

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

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

9. S.O. to 29th October, 2018.

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

VICE CHAIRMAN

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

M.A.No. 229/2018 IN O.A. No. 346/2018

[Smt. Vandana B. Koli Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant, on instructions, submits that the prayer made in the present M.A. is satisfied in view of the stand taken by the respondents. The present M.A. is, therefore, disposed of without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 346 OF 2018

[Smt. Vandana B. Koli Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. The present O.A. be placed for hearing on 4th October, 2018. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

M.A.NO. 245/2018 IN O.A.ST.NO. 498/2018

[Shri Arjun M. Maskar & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent No. 1 and Shri S.G. Kulkarni, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 & 3.

2. At the request of learned Presenting Officer, S.O. to 8th October, 2018 for filing affidavit in reply.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

M.A. 337/17 WITH M.A.ST. 974/17 IN O.A.ST.NO. 974/2017

[Shri Abdul Jabbar Abdul Rahim Sk. & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 4th October, 2018.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 570 OF 2018

[Dr. Manisha G. Kharade Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

1. Shri N.R. Thorat, learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer seeks time to file affidavit in reply.

3. The record would show that in fact the applicant was transferred by the concerned respondent vide order dated 10th April, 2015 (Annexure 'A-2', page-13), still the said order is not implemented. The applicant seeks implementation of the said order by relieving her.

4. It is unfortunate that own order of the concerned respondent is not being implemented for a period of more than four months. In the circumstances, without filing any affidavit in reply, the concerned respondent is directed to take prompt steps for relieving the applicant and to report in this proceeding on the next date. In case, any difficulty is found in implementing his own order, he shall file affidavit explaining reasons therefor, on the next date, failing which

this Tribunal would be constrained to take strict action on the concerned respondent including imposition of heavy costs.

5. S.O. to 11th October, 2018 for complying the order.

6. The learned Presenting Officer shall act on steno copy.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 559 OF 2018

[Shri Venkat N. Mittewad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3 and Shri Ajay Deshpande, learned Advocate for respondent No. 4.

2. Learned Advocate for the applicant has filed affidavit in rejoinder and the same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 18th September, 2018 for hearing. Interim relief to continue till then.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 558 OF 2018

[Shri Ganesh D. Deshpande Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

1. Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks liberty to amend the prayer clause challenging the order of reversion, which is already placed on record at Annexure "A-21", page-112. Liberty to that extent is granted. The applicant shall carry out the amendment on or before the next date.
3. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
4. S.O. to 9th October, 2018.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 403 OF 2018

[Shri Ravi S. Shrirame Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

1. Shri S.S. Thombre, learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, present.
2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 25th September, 2018.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD

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

ORIGINAL APPLICATION NO. 381 OF 2018

[Shri Zuberuddin R. Shaikh Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.09.2018.

ORAL ORDER :

1. Shri Omprakash D. Mane, learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

2. It appears from the proceedings that on the last date i.e. on 23.07.2018 nobody appeared for the applicant. Today also nobody appeared for the applicant.

3. In view of the above, S.O. to 4th October, 2018 either for hearing or for passing necessary orders.

VICE CHAIRMAN

ORAL ORDERS 12.09.2018-HDD