

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.542/2013
(Shri Babasaheb Gawade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE-CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 19.06.2018

ORAL ORDER :

1. Shri M.U.Shelke learned Advocate for the applicant is **absent**. Shri M.P.Gude learned Presenting Officer for the respondents is present.

2. None appears for the applicant. Record would show that for last 3 earlier dates nobody has appeared for the applicant. In the circumstances, the original application is dismissed in default.

MEMBER (A)

VICE-CHAIRMAN

YUK ORAL ORDER 19-06-2018 DB

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.619/2013
(Shri Chandrashekhar Walimbe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE-CHAIRMAN
AND**

ATUL RAJ CHADHA, MEMBER (A)

DATE : 19.06.2018

ORAL ORDER :

1. Shri L.M.Kulkarni learned Advocate for the applicant is **absent**. Shri I.S.Thorat learned Presenting Officer for the respondents is present.

2. Party in person Shri Chandrakant Walimbe is present and seeks accommodation. It is to be noted that on last date, learned Advocate for the applicant sought adjournment, and therefore, as a last chance it was posted today.

3. However, in the interest of justice, S.O.to 26-06-2018 either for hearing or for passing necessary order.

MEMBER (A)

VICE-CHAIRMAN

YUK ORAL ORDER 19-06-2018 DB

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.620/2013
(Sau. Chitra Sontakke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE-CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 19.06.2018

ORAL ORDER :

1. Shri L.M.Kulkarni learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for the respondents is present.
2. None appears for the applicant.
3. S.O. to 26-06-2018.

MEMBER (A)

VICE-CHAIRMAN

YUK ORAL ORDER 19-06-2018 DB

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.652/2013
(Shri Ravindra Kshirsagar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T.JOSHI, VICE-CHAIRMAN
AND**

ATUL RAJ CHADHA, MEMBER (A)

DATE : 19.06.2018

ORAL ORDER :

1. Shri L.M.Kulkarni learned Advocate for the applicant is **absent**. Smt. Resha Deshmukh learned Presenting Officer for the respondents is present.

2. None appears for the applicant.

3. S.O. to 26-06-2018.

MEMBER (A)

VICE-CHAIRMAN

YUK ORAL ORDER 19-06-2018 DB

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.690/2013
(Shri Vijay Salunke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018

ORAL ORDER :

(PER - JUSTICE M.T.JOSHI, VICE-CHAIRMAN)

1. Heard Shri M.R.Kulkarni learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for the respondents.

2. Present applicant is seeking quashment of the order passed by the respondent no.2 dated 8th September, 2013 by which he was posted to the post of Mali from the post of Forest Guard held by him.

3. Admitted facts on record would show that the present applicant in fact was appointed as temporary Mali. He was not a Van Majoor (Forest Labourer). However, he was appointed as Forest Guard probably applying the provisions which were made for appointment to the post of Forest Guard from Van Majoor. These facts came to the knowledge of the Conservator of Forests, Dhule respondent no.2. Therefore, vide impugned order the applicant was relegated to the post of Mali.

4. Learned Advocate for the applicant submits that in fact this relegation to the post amounts to punishment and no show cause notice was issued before taking the said action.

5. Considering all the admitted facts on record, it is crystal clear that the then authorities had committed mistake in posting the present applicant to the post of Forest Guard from the post of Mali without any recruitment rules.

6. In the circumstances, vide impugned decision, respondent no.2 has merely corrected the mistake and cancelled the earlier order. In view thereof, same cannot be called as punishment. In the result following order is passed.

ORDER

Original Application stands dismissed without any order as to costs.

MEMBER (A)

VICE-CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.374/2015
(Shri Appasaheb Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018

ORAL ORDER :

1. Heard Shri M.V.Salunke learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.
2. While learned Advocate for the applicant submits that the impugned decision of termination of the applicant could not have been passed without giving an opportunity to the present applicant of showing cause as per the Government Circular dated 29th December, 1992 (page 28) and while the applicant has made specific pleadings in this regard in ground no.(vi), there is no affidavit in reply from the respondents even after the admission of the matter.
3. It appears that the concerned respondent/s (the then officer/s holding the post/s) either deliberately or out of omission did not file affidavit in reply. In the circumstances, learned P.O. is directed to take instructions in this regard from the concerned respondents regarding replying the averments made by the applicant.
4. S.O. to 09-07-2018 for taking instructions by the learned P.O.

MEMBER (A)

VICE-CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.406/2015
(Shri Prakash Shrivastav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE-CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 19.06.2018

ORAL ORDER :

1. Shri A.D.Sugdare learned Advocate for the applicant has filed **leave note** on record. Smt. Deepali Deshpande learned Presenting Officer for the respondents is present.

2. Shri Sugdare learned Advocate has filed leave note on record. O.A. is pending since long. In the circumstances, S.O. to 27-06-2018.

MEMBER (A)

VICE-CHAIRMAN

YUK ORAL ORDER 19-06-2018 DB

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.461/2015
(Shri Vijay Tarode V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018

ORAL ORDER :

1. Heard Shri R.D.Khadap learned Advocate holding for Shri S.S.Thombre learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.
2. Learned Advocate for the applicant submits that no further impleadment of parties is required though vide order dated 12th April, 2018, it was indicated that the applicants in O.A.No.116/2014 before Principal Seat at Mumbai may be necessary parties.
3. In the circumstances, without impleadment of those parties O.A. to proceed at the risk of the applicant.
4. S.O.to 23-07-2018 for hearing on the above line.

MEMBER (A)

VICE-CHAIRMAN

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.126/2016
(Anjanabai Suryavanshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T.JOSHI, VICE-CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 19.06.2018

ORAL ORDER :

1. Heard Shri S.D.Dhongde learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.
2. Shri Dhongde learned Advocate submits that he has no instructions from the applicant regarding availability of the post. Learned P.O. also seeks time to take instructions in this regard as directed by order dated 24-04-2018.
3. In the circumstances, at the request of both sides **S.O.to 23-07-2018** for taking instructions on the line of order dated 24-04-2018.

MEMBER (A)

VICE-CHAIRMAN

YUK ORAL ORDER 19-06-2018 DB

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

**ORIGINAL APPLICATION NO. 81 OF 2013
(Shri Anand A. Hole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

Heard Ms. Sangeeta Nenwani, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The present applicant seeks appointment to the post of Sub Inspector, Excise from the 5% posts are reserved for Project Affected Persons. The present Original Application was filed in the year 2012. Vide earlier order it was therefore, made clear that as to whether cause of action survives today, as no interim relief was granted at the time of filing of the present Original Application in the year 2012.

3. From the submission of the learned Presenting Officers, it appears that the selection process is completed. Still the present applicant

despite granting many opportunities has not endeavor to add necessary parties i.e. employees already appointed to the post. In the circumstances, the present Original Application must fail for joining of the necessary parties.

4. Hence, the Original Application is dismissed without any order as to costs.

MEMBER (A)

KPB ORAL ORDER 19-06-2018

VICE CHAIRMAN

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 408 OF 2018
(Dr. Anand N. Bargale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 13.08.2018.

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

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

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

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

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

8. Liberty to move the application for grant of interim relief, in case there is discontinuation of the services of the applicant, is hereby granted.

9. Reply be filed on or before 13-08-2018.

10. S.O. 13-08-2018.

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

VICE CHAIRMAN

KPB ORAL ORDER 19-06-2018

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 409 OF 2018
(Shri Umesh J. Bhadane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 25.07.2018.

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

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

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

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

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

8. Learned Advocate for the applicant seeks interim relief directing that the vacant post should not be filled in. This would amount to put the administration in hardship. Therefore, the interim relief is hereby rejected.

9. Reply be filed on or before 25-07-2018.

10. S.O. 25-07-2018.

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

VICE CHAIRMAN

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 410 OF 2018
(Shri Sanjay P. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 25.07.2018.

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

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

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

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

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

8. Learned Advocate for the applicant seeks interim relief directing that the vacant post should not be filled in. This would amount to put the administration in hardship. Therefore, the interim relief is hereby rejected.

9. Reply be filed on or before 25-07-2018.

10. S.O. 25-07-2018.

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

VICE CHAIRMAN

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 411 OF 2018
(Shri Shaikh Yakub Shaikh Ahemed V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

Heard Shri R.B. Ade, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 18.07.2018.

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

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

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

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

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

8. Learned Advocate for the applicant on instructions of the applicant submits that the distance between the present post of place and transferred place is 65 kms. As against this, the learned Presenting Officer submits that the distance may not be more than 30 kms. In the circumstances, prayer for grant of interim relief is hereby kept open.

9. Reply be filed on or before 18-07-2018.

10. S.O. 18-07-2018.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION ST. NO. 535 OF 2013
(Shri Vinod D. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

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

2. Upon hearing, the learned Advocate for the applicant submits that the application for condonation of delay would be filed.

3. In the circumstances, the present O.A. be removed from the board and it be placed as and when M.A. would be filed.

VICE CHAIRMAN

KPB ORAL ORDER 19-06-2018

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

**M.A. No. 183/2018 in O.A. St. No. 907/2018
(Shri Chhagan B. Chavan & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

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

2. The present M.A. has been filed by the applicants for permission to sue jointly the O.A.

3. Perused the misc. application. Considered the contentions.

4. For the reasons stated in the M.A. it is allowed and disposed of and the applicants are permitted to sue jointly the O.A. subject to payment of requisite court fees by each of the applicant.

5. The Office to register the O.A. on due scrutiny.

VICE CHAIRMAN

KPB ORAL ORDER 19-06-2018

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION ST. NO. 907 OF 2018
(Shri Chhagan B. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 03.08.2018.

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

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

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

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

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

8. Liberty to move the application for grant of interim relief, in case the services of the present applicants are discontinued, is hereby granted.

9. Reply be filed on or before 03-08-2018.

10. S.O. 03-08-2018.

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

VICE CHAIRMAN

KPB ORAL ORDER 19-06-2018

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

**ORIGINAL APPLICATION ST. NO. 877 OF 2018
(Shri Bharat S. Khanderao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 30.07.2018.

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

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

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

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

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

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

8. Considering the copy of communication dated 08.11.2017 received to the applicant from the respondent No. 3 i.e. the Joint Director of Vocation Education and Training, Regional Office, Aurangabad, that the issue would be referred to the committee as per the rules, without filing of detailed affidavit in reply, the concerned respondent is directed to file report as to whether the issue is referred to the committee or not? and if it is not referred, the same be referred and to file compliance report in this regard on the next date.

9. Reply be filed on or before 30-07-2018.

10. S.O. 30-07-2018.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 127 OF 2018
(Dr. Rajendra D. Pendharkar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondent Nos. 1 to 3. Shri P.V. Tapse, learned Advocate for respondent No. 4, **leave note**.

2. At the request of learned Presenting Officer, S.O. to 24.07.2018, for compliance with the order dated 26.02.2018.

VICE CHAIRMAN

KPB ORAL ORDER 19-06-2018

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

**M.A. No. 184/2018 in O.A. No. 345/2018
(Shri Sanjeev S. Valvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

Heard Shri S.B. Bhosle, learned Advocate for the applicant in M.A. (original respondent No. 5), Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 2 to 5 and Shri S.D. Joshi, learned Advocate for respondent No. 1 (original applicant).

2. S.O. to 03.07.2018 for hearing.

VICE CHAIRMAN

KPB ORAL ORDER 19-06-2018

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

ORIGINAL APPLICATION NO. 401 OF 2018

[Shri Ramesh B. Bansod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri Vishwas Solunke, learned Advocate holding for Shri K.D. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. It appears that the present applicant is still to pass the required examination of typewriting, which in fact, was a precondition before promotion. It appears that the present applicant secured promotion because of irregularities committed by his superiors. In the circumstances, the present application does not deserve to be entertained.

3. Learned Advocate for the applicant seeks time to take instructions in this regard. At his request, S.O. to 3rd July, 2018 for making submissions on the above line.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

ORIGINAL APPLICATION NO. 404 OF 2018

[Shri Uddhav G. Gangawane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 30th July, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

O.A. NO. 404 OF 2018

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 30th July, 2018.

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

MEMBER (A)

VICE CHAIRMAN

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

M.A.NO. 189/2018 IN O.A.ST.NO.699/2018

[Shri Dattu G. Gaikwad Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri A.S. Shelke, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. Issue common notices to the respondents in M.A. No. 189/2018 & O.A. No. 699/2018, returnable on 6th August, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. & O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

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

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

8. Without filing any affidavit in reply, the concerned respondents are directed to file report showing as to within how much time, the departmental appeal would be decided.

9. S.O. to 6th August, 2018.

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

MEMBER (A)

VICE CHAIRMAN

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

ORIGINAL APPLICATION ST. NO. 873 OF 2018

[Shri Santosh R. Jagdale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant, on instructions from the applicant, who is present in the court hall, submits that the applicant wishes to withdraw the present Original Application.
3. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application is disposed of as withdrawn without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

ORIGINAL APPLICATION NO. 227 OF 2017

[Shri Ajay B. Pawar & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri M.G. Devkate, learned Advocate holding for Shri S.D. Tambat-Dhumal, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to file the certified copy regarding which he made submission on 11.4.2018. It appears that on the last date i.e. on 25.04.2018, learned Advocate for the applicant sought time for the same. In the circumstances, at his request, S.O. to 6th August, 2018, as a last chance, for complying with the order or for passing necessary orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

ORIGINAL APPLICATION NO. 251 OF 2017

[Dr. Sham P. Toshniwal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to make submissions on the line of the earlier order. At his request, S.O. to 26th June, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

O.A.NO. 368/2017 WITH O.A.NO. 369/2017

[Shri Bapu Ramrao Lad & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri V.H. Pathade, learned Advocate holding for Shri S.A. Deshmukh, learned Advocate for the applicants in both the cases and Shri I.S. Thorat & Mrs. Priya R. Bharaswadkar, learned Presenting Officers for the respective respondents in respective cases.

2. Learned Advocate for the applicant seeks time. It is to be noted that on last two dates nobody appeared on behalf of the applicants. However, in the interest of justice, as a last chance, S.O. to 7th August, 2018 either for hearing or for passing necessary orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

ORIGINAL APPLICATION NO. 412 OF 2017

[Shri Prashant R. Shelke Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Shri A.D. Jagtap, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, present.

2. Learned Chief Presenting Officer seeks time for filing relevant Government Resolution, instructions, etc. on the line of the order dated 25.04.2018. At his request, S.O. to 20th August, 2018 for complying the earlier order and for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

ORIGINAL APPLICATION NO. 958 OF 2017

[N.R. Thakor Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Shri Raghuvirsing M. Patil, learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, present.

2. The record would show that since last four dates i.e. 21.02.2018, 21.03.2018, 18.04.2018 & 05.06.2018 nobody is appearing on behalf of the applicant.

3. In view of the above, it appears that the applicant and his Advocate are not interested in prosecuting the present Original Application. Hence, the present Original Application is dismissed in default. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

O.A.NOS. 118, 119 & 120 ALL OF 2017

[Smt. Manasi K. Kulkarni Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicants in all these cases and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases.

2. Learned Presenting Officer submits that the record is received and the copy thereof is required to be filed now.

3. At the request of learned Advocate for the applicant, S.O. to 17th July, 2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

ORIGINAL APPLICATION NO. 20 OF 2018

[Shri Rameshwar D. Dandge Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 9th July, 2018 for making submissions on the line of the earlier order of this Tribunal dated 8.6.2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

ORIGINAL APPLICATION NO. 383 OF 2017

[Shri Uttam S. Mundhe Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he will file affidavit in rejoinder during the course of the day. He undertook to supply the copy of the same on the other side.

3. In the circumstances, S.O. to 13th August, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

O.A.NOS. 837, 856, 916/2017 & 38/2018

[Shri Vishwanath A. Sonawane & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicants in all these cases and Shri N.U. Yadav & Mrs. Deepali S. Deshpande, learned Presenting Officer for the respective respondents in respective cases.
2. At the request of learned Advocate for the applicant, S.O. to 10th July, 2018.
3. The registry is directed to tag all these cases together.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

C.P.NO. 50/2018 IN O.A.NO. 421/2012

[Shri Anant M. Thakur Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 16th July, 2018 for making submissions on the line of the earlier order dated 7.6.2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

O.A.NO. 30/2018 WITH M.A.NO. 178/2018

[Mrs. Rohini S. Deokar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.06.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant in O.A., Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri S.D. Joshi, learned Advocate for intervenors.

2. At the request of learned Advocate Shri V.B. Wagh for the applicant in O.A., S.O. to 17th July, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 19.06.2018-HDD

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

**C.P. 21/2018 IN O.A. 154/2016
(Abhijeet T. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the petitioner and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned P.O., on instructions from Shri Arun Adhane, Jr. Clerk from the office of Deputy Director of Education, Aurangabad, who is present in the court hall, and on the basis of written instructions received to him from the concerned respondent, seeks time for compliance of order of the Tribunal passed in O.A.

3. It is to be noted that the present matter is pending since long. In the circumstances, as a last chance, S.O. to 17.7.2018 for compliance of order of the Tribunal passed in O.A., failing which the concerned respondents shall have to deposit costs of Rs. 10,000/- by Government

cheque, in case no compliance is reported by that date.

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

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

**C.P. 48/2018 IN O.A. 211/2017
(Ashok B. Bankar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

Heard Shri S.M. Shegaonkar, learned Advocate for the petitioner and Shri M.S. Mahajan, learned Presenting Officer for the respondents.

2. In pursuance of the order dtd. 15.12.2017 passed by the Tribunal in O.A. no. 211/2017 the learned C.P.O. submits that, in fact a cheque of Rs. 10,240/- was prepared and tendered to the petitioner, however, he did not collect the same. He submits that today also the said cheque is brought in the Court hall along with communication of the concerned respondent.

3. The learned Advocate for the petitioner submits that the petitioner is present in the Court hall. In the circumstances, the petitioner is directed to accept the cheque of Rs. 10,240/- and acknowledge the same by signing on covering page of communication. The learned Advocate for the applicant shall identify the applicant in that regard.

4. In the circumstances, nothing survives in the present contempt petition and hence it is disposed of as such without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 36, 37 AND 47 OF 2018
(Manohar D. Late & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate for the applicants in all these matters and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents in all these matters.

2. The learned P.O. has filed affidavit in reply of res. no. 3 in O.A. no. 36/2018 and of res. no. 2 in O.A. no. 37/2018. The said replies are taken on record and copies thereof are supplied to the learned Advocate for the applicants. In the circumstances, S.O. to 7.8.2018, for hearing on admission and in the meantime, the respective applicants are at liberty to file rejoinder, if any.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 39/2018
(Ravi S. Wankhade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

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

2. Shri Thakare, learned Advocate holding for Shri Patil, learned Advocate for the applicant seeks accommodation. It appears from the record that submissions made on 1.2.2018 regarding discrimination are now fortified by amendment and the relevant documents. In the circumstances, S.O. to 23.7.2018 for hearing on the line of order dtd. 1.2.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

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

**ORIGINAL APPLICATION NO. 153/2018
(Mukund M. Dhotre & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

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

2. Learned C.P.O. seeks time to take instructions from the respondents. It is to be noted that the present matter is pending since long and interim relief has been granted by the Tribunal. In the circumstances, as a last chance S.O. to 11.7.2018 for taking instructions by the respondents.

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

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

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

**ORIGINAL APPLICATION NO. 176/2018
(Deepak A. Shelake V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, is present.

2. Learned P.O. files on record affidavit in reply of res. nos. 1 to 4 & 6. It is taken on record. She undertakes to serve copy thereof upon the learned Advocate for the applicant. She further seeks time to file affidavit in reply of res. no. 5. At her request, S.O. to 23.7.2018 for filing affidavit in reply of res. no. 5.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

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

**ORIGINAL APPLICATION NO. 202/2018
(Ashok R. Khandagale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 23.7.2018 for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

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

**ORIGINAL APPLICATION NO. 228/2018
(Kamlakar K. Phad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

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

2. Learned Advocate, on instructions from the applicant, and in view of statement made by the Joint Secretary, copy of which is filed by the learned P.O. on 13.6.2018, that the D.E. against the present applicant would be completed within 6 months, submits that the present applicant wishes to withdraw the present O.A. However, liberty be granted to the applicant to file separate proceedings regarding separate charge sheet / show cause issued to him.

3. In view of above statement of learned Advocate for the applicant, accepting the statement of the Joint Secretary, the present O.A. is disposed of as withdrawn with liberty as prayed for. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 301/2018
(Subhangi V. Khedkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

Heard Shri Sanjay B. Bhosale, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply. It is to be noted that interim relief is running against the respondents. In the circumstances, S.O. to 25.7.2018, for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**O.A. NOS. 445, 446, 447, 449, 450, 451, 452, 453, 454, 455, 456, 457,
458, 459, 494 OF 2017 AND O.A. NOS. 113 AND 114/2018**

**(Marathwada Van Va Samjik Vanikaran Rojandari Va Kayam Kamgar
Karmachari Va Sarva Shramik Sanghatana & Ors. V/s. State of Maharashtra &
Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicants in all these matters and Shri M.A. Mahajan, learned Chief Presenting Officer for the respondents in all these matters.

2. Leaned C.P.O. seeks time to file affidavit in replies in some cases in which it is not filed. It is to be noted that for same cause of action and on same facts and circumstances the present matters are filed by the respective applicants. As in some matters the applicants are from different Districts and, therefore, the res. no. 6 i.e. the Deputy Director is from different Districts.

3. In the circumstances, without waiting for affidavit in replies of respondents in the matters in which it is not filed, S.O. to 26.7.2018 for hearing on admission. In the meantime, reply, if any, be filed in the matters in which it is not filed with copy to other side in advance.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 200/2017 IN O.A. ST. 335/2017
(Dr. Raghuvir V. Bhosale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

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

2. Learned P.O. seeks leave of the Tribunal to file affidavit in reply as vide order dtd. 6.4.2018 it was directed that the present matter be proceeded further for hearing without affidavit in reply of the respondents in view of delay caused by the respondents in filing the same. Leave as prayed for by the learned P.O. is granted and the affidavit in reply of res. nos. 1 to 5 is accepted on record with copy to other side.

3. For the reasons stated in the present M.A. it is allowed and disposed of without any order as to costs and the delay of 62 days caused in filing the accompanying O.A. is hereby condoned.

4. Office to register the O.A. on due scrutiny and it be placed on board after obtaining circulation by the applicant.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 239/2017 IN O.A. ST. 906/2016
(Dr. Atul R. Ladwanjari & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply in the present M.A. It is to be noted that, though more than reasonable time is already granted to the respondents for filing affidavit in reply, still it is not filed. In the circumstances, S.O. to 23.7.2018, for hearing of M.A. Reply, if any, be filed in the meantime with copy to other side in advance.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

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

**M.A. 59/2018 IN O.A. ST. 284/2018
(Bapu F. Shinde & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

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

2. Leaned Advocate for the applicants files on record the copy of minutes of the Departmental Promotion Committee dtd. 12.4.2018, which would, prima-facie, show that the D.P.C. has rather misinterpreted the orders of the Tribunal dtd. 27.2.2018 & 10.4.2018. The said communication is taken on record and marked as document 'X' for the purpose of identification.

3. It appears that, vide order dtd. 27.2.2018 this Tribunal granted interim relief to the reversion of the applicant and directed that the applicant be permitted to work on ad-hoc basis on the promotional post. Thereafter finding that the D.P.C. was scheduled, it was clarified vide order dtd. 10.4.2018 that the pendency of present O.A. shall not be any hindrance in considering the case of the applicant for promotion. Document filed at 'X' would show that the D.P.C. interpreted the orders that this

Tribunal permitted to continue the applicant on ad-hoc basis and his case for promotion shall not be considered.

4. Learned C.P.O. seeks time to take instructions from the concerned respondents regarding this interpretation of the orders and regarding taking corrective steps, if any, in this regard. At his request, S.O. to 19.7.2018 for making submission on the above line or for filing report regarding corrective steps taken, if any.

5. Steno copy allowed for the use of learned C.P.O.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 676/2006
(Baliram R. Sutar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

Heard Shri S.P. Dhoble, learned Advocate holding for Shri N.L. Choudhary, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 21.6.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

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

**ORIGINAL APPLICATION NO. 508/2013
(Feroj Mohemud Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

Heard Shri S.S. Shinde, learned Advocate holding for Shri K.R. Doke, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time. It is to be noted that more than reasonable adjournments were already granted to the learned Advocate for the applicant. In the circumstances, as a last chance S.O. to 25.6.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 19-6-2018

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

**ORIGINAL APPLICATION NO. 461/2013
(Smt. Varsha w/o Vitthal Paratwath V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 19.6.2018

ORAL ORDER :

Heard Smt. Sayali Machale, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 3 and Ms. Preeti Wankhade, learned Advocate for respondent no. 5. None appears for respondent no. 4.

2. The applicant has filed the present O.A. for the following reliefs :-

- “A) To quash the impugned Government Resolution dated 20.04.2013 withholding increments of the respondent No. 5 for a period of three years passed by the respondent No. 1 (**EXHIBIT “L”**);
- B) To direct the respondent No. 01 to 04 to remove the respondent No. 5 from the Government service by passing an appropriate order;
- C) To grant interim injunction restraining the respondent No. 5 from working as a Medical Officer, Primary Health Centre, Wadgaon, Tq. & Dist. Nanded or on any other post or any other place, pending hearing and final disposal of this application;

D) Any other relief, which this Hon'ble Tribunal may deem fit may kindly be granted in favour of the applicant.”

3. The learned Advocate for the applicant submits that the applicant is legally wedded wife of res. no. 5 – Dr. Vitthal s/o Limbaji Paratwagh and due to ill-treatment given to her by the res. no. 5 she is residing away from him. In the meantime the res. no. 5 has remarried with another lady and a criminal case is filed before the proper forum regarding the same. The applicant further submits that three increments of res. no. 5 were withheld illegally and, therefore, the same should be restored to the res. no. 5.

4. In our view, the present applicant has no locus-standi in making above prayers. The issue of grant of 3 increments to the res. no. 5 is between the res. no. 5 and his employer i.e. res. nos. 1 to 4. In the circumstances, the present O.A. is dismissed without any order as to costs.

MEMBER (A)

VICE CHAIRMAN