

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri M.B.Bharaswadkar learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

ORIGINAL APPLICATION NO.686/2018
(Bhagwat Betkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri K.G.Salunke learned Advocate holding for Shri J.M.Murkute learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

M.A.No.406/2017 IN O.A.St.No.861/2017
(Ajit Agle V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

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

2. Learned P.O. states that respondents will file affidavit in reply and will also deposit costs during the course of the day. He also undertakes to serve copy of the reply on the other side.

3. S.O. to 20-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

**M.A.No.14/2018 IN O.A.St.No.1902/2017
(Bhaskar Channe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri K.J.Suryavanshi learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. Heard both sides. Perused contentions raised by the applicant in the M.A. The reasons mentioned in paragraph 2 to 4 of the M.A. are satisfactory and sufficient to explain the delay caused for filing the O.A. Therefore, I accept the said reasons which are sufficient to condone the delay caused for filing the O.A. Hence, M.A. deserves to be allowed.

3. In view of the above facts M.A.No.14/2018 is allowed. Delay caused for filing the O.A. is condoned. M.A. stands disposed of accordingly without any order as to costs.

4. O.A. be registered and numbered after removal of office objections, if any, as per procedure.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

**O.A.St.No.1902/2017
(Bhaskar Channe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri K.J.Suryavanshi learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

3. Issue notice to respondents, returnable on 03-12-2018.

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

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

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

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

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

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

9. S.O. to 03-12-2018.

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

MEMBER (J)

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

**M.A.No.87/2018 IN O.A.St.No.142/2018
(Vishwas Thore V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri V.V.Gujar learned Advocate holding for Shri R.P.Bhumkar learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for respondents and Shri S.D.Dhongde learned Advocate for respondent no.2 and 3.

2. Learned Advocate for the applicant prays for time for filing affidavit in rejoinder. Time is granted as a last chance.

3. S.O. to 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

ORIGINAL APPLICATION NO.584/2017
(Md. Abdul Sami V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant as well as the learned P.O., S.O. to 01-11-2018 for final hearing.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

ORIGINAL APPLICATION NO.278/2016
(Mohan Devbone V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri K.M.Nagarkar learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant has challenged the orders dated 25-11-2009 and 24-12-2009 passed by respondent no.2 preferring appeal dated 18-07-2013 before the respondent no.5 but the respondent no.5 has not taken any decision on it on merit till today. He has submitted that necessary direction may be given to the respondent no.5 i.e. Director General of Police to decide the appeal preferred by the applicant on 18-07-2013 within stipulated time and with that direction O.A. may be disposed of.

3. Learned P.O. has submitted that necessary order may be passed but while giving direction to the respondent no.5 reasonable time may be

given to take appropriate decision on the representation dated 18-07-2013 filed by the applicant.

4. The applicant has preferred appeal / representation dated 18-07-2013 before the competent authority i.e. respondent no.5 Director General of Police challenging the orders dated 25-11-2009 and 24-12-2009 passed by respondent no.2 but the said appeal has not been decided by the respondent no.5 till today. In view of this, it is just to direct the respondent no.5 to take appropriate decision on the representation / appeal preferred by the applicant on 18-07-2013 challenging the orders dated 25-11-2009 and 24-12-2009 passed by respondent no.2 within 3 months from today.

5. In view of the abovesaid facts and circumstances of the case, O.A. is disposed of with a direction to respondent no.5 to take appropriate decision on the representation filed by the applicant on 18-07-2013 on merit as per

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O.A.No.278/16

rules within 3 months from the date of this order and to communicate the decision to the applicant in writing. There shall be no order as to costs.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

ORIGINAL APPLICATION NO.288/2018
(Rajendra Marale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri S.D.Joshi learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant S.O. to 25-10-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

**ORIGINAL APPLICATION NO.542/2018
(Tukaram Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri A.D.Raut learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents. Shri R.B.Ade learned Advocate for respondent no.3 is **absent.**

2. At the request of learned Advocate for the applicant 1 week's time is granted to file service affidavit.

3. S.O. to 01-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

M.A.No.231/2018 IN O.A.St.No.1065/2018
(Majid Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri V.V.Gujar learned Advocate holding for Shri R.P.Bhumkar learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for respondents and Shri S.D.Dhongde learned Advocate for respondent no.2.

2. At the request of learned Advocate for the applicant, S.O. to 20-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

**M.A.No.406/2018 IN O.A.No.319/2017
(Parsharam ShindeV/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri K.G.Salunke learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that because of the personal medical problem he could not able to appear before the Tribunal when the matter was called for hearing on 25-09-2018. He has submitted that because of his absence, the matter has been dismissed. He has submitted that valuable rights of the applicant are involved in the matter. Therefore, for the reasons mentioned in paragraph 4 of the M.A., he has prayed to restore the case to its original stage.

3. Learned P.O. states that necessary order may be passed.

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M.A.No.406/2018 IN O.A.No.319/2017

4. Considering the submissions of the learned Advocate for the applicant and the grounds mentioned in paragraph 4 of the application, in my opinion, it is just and proper to set aside the order of dismissal passed in O.A.No.319/2017 dated 25-09-2018 and to restore the O.A. to its original number. Hence, M.A.No.406/2018 is allowed. Order of dismissal passed in O.A.No.319/2017 dated 25-09-2018 is hereby set aside. O.A. is restored to its original number. M.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

**O.A.No.319/2017
(Parsharam ShindeV/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri K.G.Salunke learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. In view of the order passed in M.A.No.406/2018, O.A. stands restored to its original position.

3. Case be fixed for final hearing on 22-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

ORIGINAL APPLICATION NO.741/2017
(Anita Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

Heard Shri M.R.Wagh learned Advocate holding for Shri R.B.Narwade Patil learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned Advocate for the applicant and the learned CPO have submitted that the applicant has been promoted and transferred by the order dated Nil/06/2017 and she has been posted in Sasoon Hospital, Pune. Both parties have submitted that the applicant has not been relieved from Dr. Shankarrao Chavan Government Medical College and Hospital, Vishnupuri, Nanded and she is still working there.

3. On perusal of record it reveals that no interim relief has been granted to the applicant. In spite of that respondent no.3 and 4 have not taken any steps for relieving the applicant to join

her new posting. It shows lethargy on the part of the respondent nos.3 and 4. It also shows that they are protecting the interest of the applicant without taking any action against her. Hence, the respondent no.3 and 4 are directed to file their personal affidavit explaining why necessary steps have not been taken in the matter.

4. Learned CPO is directed to bring this fact to the notice of the respondent no.1 Secretary, Medical Education Department, Mantralaya Mumbai with a request to take necessary action against the erring officers.

5. Steno copy be provided to the learned CPO.

6. S.O. to 01-11-2018.

MEMBER (J)

YUK ORAL ORDER 22-10-2018 F

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

**ORIGINAL APPLICATION NO. 174/2017
(Dr. Madhav F. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, 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 20.11.2018.

KPB ORAL ORDER 22-10-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 279/2017
(Smt. Rekha A. Bonalawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate holding for Shri V.D. Patnoorkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 to 3 and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent Nos. 4 & 5.

2. At the request of learned Advocate for the applicant, S.O. to 03.12.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 406/2018
(Shri Arun S. Gosavi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

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

3. S.O. to 20.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 770/2017
(Smt. Ayesha F. Khan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has placed on record a copy of communication dated 11.10.2018 received to his office from the Deputy Regional Transport Officer, Beed. Same is taken on record and marked as document-'X' for the purposes of identification.

3. Learned Advocate for the applicant has submitted that in view of the communication dated 11.10.2018 filed by the learned Presenting Officer, the present O.A. may be disposed of.

4. In view of the submissions made by learned Advocate for the applicant, the O.A. is disposed of with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 665/2018
(Shri Zubair Ad Gafoor V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks
permission of this Tribunal to produce order
dated 24.01.2018 and also prays to grant leave to
amend the O.A. suitably.

3. Leave as prayed for by the applicant is
granted. The applicant shall amend the O.A. and
file documents forthwith.

4. S.O. to 20.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 780/2018
(Smt. Deepali Y. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

Heard Shri P.N. Nagargoje, learned Advocate holding for Shri D.B. Thoke, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the prayer clause of the O.A. suitably.

3. Leave as prayed for by the applicant is granted. The applicant shall amend the O.A. within a period of one week.

4. Hence, the present matter is removed from the board and it be kept after carrying out the necessary amendment.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**M.A. No. 408/2018 in O.A. St. No. 1671/2018
(Shri Murlidhar E. Sakhare & Anr. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

Heard Shri V.V. Gujar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 06.11.2018.

KPB ORAL ORDER 22-10-2018

MEMBER (J)

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

**M.A. No. 409/2018 in O.A. St. No. 1584/2018
(Shri Keshav M. Soundarmal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018

ORAL ORDER :

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

2. Issue notice to the respondents in M.A., returnable on 22-11-2018.

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

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

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

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

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

8. S.O.to 22-11-2018.

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

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 16/2017
(Shri Sk. Mukhtyar Sk Noor Ali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

Heard Shri S.A. Deshmukh, learned Advocate holding for Shri M.D. Godhamgaonkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 138/2017
(Shri Babu J. Phule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 30.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 265/2017
(Dr. Suresh M. Karamunge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondent Nos. 1 to 3. Shri D.S. Mali, learned Advocate for respondent No. 4, **absent**.

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

3. S.O. to 22.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 33/2018
(Shri Sk. Ibrahim Sk. Nanhu V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

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

3. S.O. to 28.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 162/2018
(Shri Baliram B. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that the respondents had deposited the amount of costs imposed by this Tribunal vide order dated 03.10.2018 and he has filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 22.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 163/2018
(Shri Pramod R. Kachare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 22.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 182/2018
(Shri Vithal B. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 01.11.2018.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 370/2018
(Shri Dhamratna S. Ghule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply of respondent Nos. 4 & 5. Same is taken on record and the copy thereof has been served on the other side.

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

3. S.O. to 22.11.2018 for filing affidavit in reply of respondent Nos. 1 to 3.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**ORIGINAL APPLICATION NO. 346/2018
(Smt. Vandana B. Koli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. Learned Presenting Officer on instructions from Shri Sanjay Gaikwad, Sub Divisional Officer, Amalner, Tq. Amalner, Dist. Jalgaon, who is present today states that the respondent No. 2 is going to take corrective steps, so far as the transfer of the present applicant. Therefore, she prayed to grant two weeks' time to the respondent No. 2 to pass necessary orders in that regard.

3. In view of the submissions made by learned Presenting Officer, two weeks' time is granted.

4. S.O. to 06.11.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

KPB ORAL ORDER 22-10-2018

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

**T.A.9/2018 (W.P. 11503/2018)
(Ashish S. Shejwal & 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 : 20.10.2018

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 5.12.2018.

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

4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.

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

8. Learned Advocate for the applicants submits that interim relief in terms of prayer clause (D) & (E) of the present T.A. / W.P. thereby directing the concerned respondents to permit the present applicants to participate in the selection process may be granted. She relied on the ratio laid down by Hon'ble Supreme court in the case of **Hemani Malhotra Vs. High Court of Delhi [2008 AIR (SC) 2103]**, wherein in para no. 9 it was held as under :-

“9. From the proposition of law laid down by this Court in the above mentioned case it is evident that previous procedure was not to have any minimum marks for vive-voce. Therefore, prescribing minimum marks for vive-voce was not permissible at all after written test was conducted. There is no manner of doubt that the authority making rules regulating the selection can prescribe by rules the minimum marks both for written examination and vive-voce, but if minimum marks are not prescribed for vive-voce before the commencement of selection process, the authority concerned, cannot either during the selection process or after the selection process add an additional requirement/qualification that the candidate should also secure minimum marks in the interview. Therefore, this Court is of the opinion that prescription of minimum marks by the respondent at vive-voce, test was illegal.”

9. It is to be noted that in the present case we are not dealing with the issue regarding prescription of minimum marks in vive-voce after written test was conducted, however, in the present case the issue involved is regarding action of res. no. 2 of applying cut-off for the post without mentioning the same in the advertisement. Therefore, the ratio laid down by Hon'ble Supreme Court in the case of Hemani Malhotra (supra) on which reliance is placed by the learned Advocate for the applicants is not applicable. In the circumstances, the prayer of the applicants for grant of interim relief is hereby rejected.

However, it is hereby made clear that the concerned selection process shall be subject to final decision in the present O.A.

10. S.O. to 5.12.2018.

11. Steno copy / hamdast allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 87/2018
(Ramrao K. Thombare 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 : 20.10.2018

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde – Upadhyay, , learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondents.

2. Learned P.O. files on record copy of communication dtd. 19.10.2018 received to her from the concerned respondent along with copy of authorization order issued by the Accountant General, Maharashtra – II, Nagpur. The same is taken on record and marked as document 'X' collectively for the purpose of identification with a copy to other side. The said communication along with authorization order would show that some of the retiral benefits are received to the present applicant, while some are under process.

3. In the circumstances, the present O.A. is disposed of without any order as to costs and the concerned respondents are hereby directed to disburse all the retiral and consequential benefits to which the present applicant would be entitled within a period of 4 months from the date of this order.

4. Steno copy / hamdast allowed for the use of both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. NOS. 825, 864, 865, 866 AND 867 ALL OF 2016
(Prakash A. Gaikwad & 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 : 20.10.2018

ORAL ORDER :

Heard Shri S.N. Dudhate, learned Advocate holding for Shri V.B. Jogdand Patil, learned Advocate for the applicants in all these matters and Shri V.R. Bhumkar, learned Presenting Officer for respondents in all these matters. None appears for respondent no. 5 in O.A. nos. 865, 866 and 867/2016.

2. At the request of Shri Dudhate, learned Advocate holding for Shri Jogdand Patil, learned Advocate for the applicants, S.O. to 10.12.2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 22-10-2018

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

**ORIGINAL APPLICATION NO. 497/2017
(Sayyad Abrar Husain 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 : 20.10.2018

ORAL ORDER :

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

2. Smt. Taksal, learned Advocate holding for Shri Deshmukh, learned Advocate for the applicant submits that by substituting the O.A. all the subsequent developments are already brought on record. Reply is already filed by the concerned respondents.

3. Arguable case is made out. Hence Admit.

4. The matter is removed from the board and it be placed for final hearing in due course of time.

MEMBER (A)

VICE CHAIRMAN

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 20.10.2018

ORAL ORDER :

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

2. The matter is reserved for orders. Both the sides are at liberty to file written notes of arguments on or before 29.10.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 22-10-2018

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

**ORIGINAL APPLICATION NO. 440/2017
(Vijay R. Gaikwad 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 : 20.10.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 5.12.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 22-10-2018

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

**ORIGINAL APPLICATION NO. 245/2015
(Jagannath H. Mhaske 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 : 20.10.2018

ORAL ORDER :

Heard Ms. Divya Tyagi, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Learned P.O. submits that legible copy of R.2 (pages 54 to 57) would be filed on record and copy thereof also would be supplied to the learned Advocate for the applicant. In the circumstances, S.O. to 28.11.2018 for above compliance from the side of learned P.O.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 22-10-2018

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

T.A. 11/1999 (W.P. 3251/1993)

T.A. 12/1999 (W.P. 653/1994)

T.A. 19/1999 (W.P. 2311/1994)

T.A. 26/1999 (W.P. 2772/1993)

T.A. 47/1999 (W.P. 3251/1993)

**(Marathwada Serva Shramik Sanghatana through its Joint Secretary M.S.
Sonwane & 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 : 20.10.2018

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate holding for Shri S.K. Shelke, learned Advocate for the applicants in all these matters and S/shri N.U. Yadav, D.R. Patil, B.S. Deokar and Smt. Deepali S. Deshpande and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officers for respondents in respective matters.

2. Shri Shelke, learned Advocate for the applicants submits that other similar matters are pending and some of them have become infructuous. However, he will have to take definite instructions from the respective applicants in that regard. In the circumstances, S.O. to 28.11.2018 for hearing along with other similar matters.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 22-10-2018

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

**M.A. st. 1773/2018 WITH C.P. 68/2018 IN O.A. 941/2010
(Sarvottam V. Apsingekar 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 : 20.10.2018

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Learned C.P.O. files on record compliance affidavit of res. no. 1. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. The compliance affidavit would show that now bills are submitted in the concerned Treasury.

3. In view of compliance affidavit filed today, the learned Advocate submits that the present C.P. may be disposed of.

4. Learned C.P.O. also submits that in view of above compliance the order dtd. 10.10.2018 passed by the Tribunal in C.P. regarding issuance of bailable warrant against Shri Sunil Porwal, Additional Chief Secretary, Home Department in a sum of Rs. 25,000/- a personal bond and solvent surety may be recalled. For the reasons stated in the M.A. st. 1773/2018 is hereby disposed of

and order dtd. 10.10.2018 passed in C.P. is hereby recalled.

5. Accordingly, the present C.P. is disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

O.A.NOS. 837, 856 & 916 ALL OF 2017

[Shri Vishwanath A. Sonwane & 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 : 22.10.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicants in all these cases and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these cases.

2. At the request of learned Advocate for the applicants, S.O. to 26th November, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 119 OF 2018

[Smt. Jyoti L. Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri D.T. Devane, learned Advocate holding for Shri S.N. Patne, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29th November, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

C.P.NO. 12/2018 IN O.A.NO. 128/2017

[Shri Gopinath B. Nalawade Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri Girish Shukla, learned Special Counsel for the respondents.

2. At the request of learned Special Counsel for the respondents, S.O. to 27th November, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 189 OF 2018

[Shri Dhiraj A. Salve & 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 : 22.10.2018.

ORAL ORDER :

1. Heard Shri A.G. Jadhav, learned Advocate holding for Shri Rahul O. Awasarmol, learned Advocate for the applicants, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent Nos. 4 to 8.

2. At the request of learned Advocate for respondent Nos. 4 to 8 for filing affidavit in reply, S.O. to 19.11.2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

**O.A.NOS. 278, 444, 445, 446, 447, 448, 449, 450, 277, 279 & 401
ALL OF 2018**

[Shri Uday V. Hande & 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 : 22.10.2018.

ORAL ORDER :

1. Heard Shri Swapnil A. Deshmukh, learned Advocate for the applicants in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases.

2. At the request of learned Advocate for the applicants, S.O. to 29th November, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 852 OF 2016

[Shri Ankush K. Tekale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicants, S.O. to 29th October, 2018 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 327 OF 2017

[Shri Ajay R. Pofale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri S.R. Dheple, learned Advocate for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1, 2, 5 & 6 and Smt. Divya Tyagi, learned Advocate holding for Shri S.B. Talekar, learned Advocate for respondent Nos. 3 & 4.

2. At the request of learned Advocate for the applicant, S.O. to 31st October, 2018 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 854 OF 2017

[Shri Uday S. Gavhane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 5th December, 2018 for hearing on the issue raised vide order dated 26th June, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 330 OF 2017

[Shri Dinesh S. 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 : 22.10.2018.

ORAL ORDER :

1. Heard Shri A.S. Golegaonkar, learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, S.O. to 30th November, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 804 OF 2017

[Shri Prakash D. Patil Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 5th December, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-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.
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 22.10.2018.

ORAL ORDER :

1. Shri J.M. Murkute, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent No. 1 & Shri Shamsundar B. Patil, learned Advocate for respondent Nos. 2 & 3.

2. It appears from proceedings that affidavit in rejoinder is not filed on record by the applicant. In the circumstances, S.O. to 6th December, 2018 for filing rejoinder affidavit, if any.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 183 OF 2018

[Smt. Karuna N. Bhujang & 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 : 22.10.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 30th October, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 362 OF 2018

[Shri Ganesh S. Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer seeks time for filing affidavit in reply.
3. It is to be noted that vide order dated 9.8.2018 it was forewarned to the respondents that in case affidavit in reply is not filed heavy costs would be imposed. Thereafter, also the concerned respondents got adjourned the present case for two times for filing affidavit in reply.
4. In the circumstances, if affidavit in reply is not filed as per the earlier directions on the next date, the concerned respondents would automatically liable to pay an amount of costs of Rs. 25,000/-.
5. S.O. to 26th October, 2018 for filing affidavit in reply.
6. Learned Presenting Officer to act on steno copy.

MEMBER (A)
ORAL ORDERS 22.10.2018-HDD

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 402 OF 2018

[Shri Bhagwan N. Bodke Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri D.T. Devane, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 3. Shri P.R. Patil, learned Advocate for respondent No. 4 (**absent**).

2. At the request of learned Presenting Officer, S.O. to 3rd December, 2018 for filing affidavit in reply.

3. The present case be kept along with O.A. No. 427/2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 427 OF 2018

[Shri Sadashiv B. Nagarsale & 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 : 22.10.2018.

ORAL ORDER :

1. Heard Shri M.P. Tripathi, learned Advocate for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 5 & 7. Shri S.P. Sonpawe, learned Advocate for respondent No. 6 (**absent**).

2. At the request of learned Presenting Officer, S.O. to 3rd December, 2018 for filing affidavit in reply.

3. The present case be kept along with O.A. No. 402/2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 414 OF 2018

[Smt. Vranda P. Sadgure Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Smt. Vranda P. Sadgure, learned Advocate holding for Shri Rahul Joshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. It appears that the applicant has wrongly circulated the present case for no reason. In the circumstances, S.O. to 19th November, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 423 OF 2018

[Shri Rameshwar S. Gopal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Smt. Divya Tyagi, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Presenting Officer for the respondent Nos. 1 & 2. Smt. Nima R. Suryawanshi, learned Advocate for respondent No. 3 (**absent**). None appears for respondent No. 4 though duly served.

2. None appears for respondent No. 3 and no affidavit in reply is filed on his behalf. In the circumstances, S.O. to 27th November, 2018 for hearing.

3. In the meantime, affidavit in rejoinder, if any may be filed and copy of the same be served on the other side well in advance.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 483 OF 2018

[Dr. Balasaheb D. Deshmukh Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 4. Shri Ashish Shinde, learned Advocate for respondent No. 5 (**absent**).

2. Learned Presenting Officer seeks time for reporting of filing of SLP and order thereon. Time granted.

3. S.O. to 4th December, 2018 for reporting of filing of SLP and order thereon.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 566 OF 2018

[Shri Dinkar L. Jadhav Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri D.T. Devane, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 4th December, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 593 OF 2018

[Shri Mohan V. Sangvikar Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 5th December, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 598 OF 2018

[Shri Ganpat G. Sansare Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Smt. Nirmala Singh, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 6th December, 2018 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

ORIGINAL APPLICATION NO. 638 OF 2018

[Shri Rajkumar D. Barwal Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1, 3 to 5 and submits that there are no instructions from respondent No. 2.

3. S.O. to 29th October, 2018 for filing affidavit in reply on behalf of respondent Nos. 1, 3 to 5 and for filing service affidavit of respondent No. 2.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD

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

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 22.10.2018.

ORAL ORDER :

1. Heard Shri P.V. Suryawanshi, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed on record a copy of decision of the Hon'ble Division Bench of Bombay High Court Bench at Aurangabad in **W.P. No. 2800/2018 [The State of Maharashtra And Others Vs. Bansilal Harishchandra Tarte And Others]** dated **15th March, 2018**. The copy of the same is taken on record and marked as document 'X' for the purposes of identification. The copy of the same has also been served on the learned Presenting Officer.

3. Learned Presenting Officer is directed to take instructions from the concerned respondents for implementation of the said decision in the present case also.

4. At the request of learned Presenting Officer, S.O. to 26th November, 2018 for taking decision

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

on the line of the directions issued by the Hon'ble High Court in the aforesaid writ petition.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 22.10.2018-HDD