

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

Heard Shri learned Advocate for the applicant and Shri learned Presenting Officer for respondents.

2. S.O. to

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017

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

**O. O. Nos.489 & 492 of 2017.**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

Heard Miss Ashlesha Raut learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicants and Shri M. S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned C.P.O. submits that, he will take instructions as to whether result would be declared including the results of the applicants, who were allowed to appear for the examination. At his request, S.O. to 12.10.2017 for taking instructions by the learned C.P.O.

3. The learned P.O. is directed to act on the steno copy of this order.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017

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

**ORIGINAL APPLICATION NO.632/2017.  
(Smt Jayshri Markali V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

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

2. Upon hearing both sides it appears that, while for crime No.240 OF 2012 for the offences punishable under Sections 379 etc. the police appears to have sent "B" summary report during pendency of the application sought closer of the case. Now, J. M. F.C. has not accepted the same and vide order dated 10.2.2017 directed the police to file fresh report by not accepting "B" summary (Page no.147).

3. The learned Advocate for the applicant seeks time to file documents and making submissions regarding another offences bearing

crime No.201/2011 in which offences punishable under Section 307 etc. are involved. At his request S.O. to 31.10.2017\_ for producing documents and making submissions.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017

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

**ORIGINAL APPLICATION NO.613/2017.  
(Shri R. N. Deshpande V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant submits that now the notices would be collected. Issue fresh notices to the respondents, returnable on 15.11.2017.

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. The respondents are directed to file affidavit in reply within a period of four weeks.

8. S.O. to 15-11-2017.

9. Steno copy and Hamdast is allowed to both parties

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION NO.700/2017.  
(Shri A. D. Jeve V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 04.10.2017. Considering the fact that, all the present applicants are already in service since long interim relief in terms of prayer clause "D" is hereby granted until further orders. Prayer clause "D" runs as under :-

"D. Pending hearing and final disposal of this Original application, The Hon'ble Court may be pleased to stay the effect, implementation and operation of the impugned order dated 6.9.2017."

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. The respondents are directed to file affidavit in reply within a period of four weeks.

8. S.O.to 04-10-2017.

9. Steno copy and Hamdast is allowed to both parties

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017

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

**ORIGINAL APPLICATION NO.664/2017.  
(Shri Shaikh Kalim V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 08.11.2017.

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. The respondents are directed to file affidavit in reply within a period of four weeks.

8. S.O.to 08-11-2017.

9. Steno copy and Hamdast is allowed to both parties

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017

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

**MA NO.371/17 IN OA ST.NO.1375/17.  
(Shri A. R. Khandagale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant submits that he will have to make submission to find out as to whether there is definite provision in G.R. or Rules that, if the resignation tendered by the employee is withdrawn within certain period the authority will have to accept the said withdrawal, so that it would facilitate to direct the Tribunal to take corrective steps. At his request, S.O. to 4.10.2017 for making further submissions.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017

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

**ORIGINAL APPLICATION NO.210/2017.  
(Shri R. B. Pimple V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant seeks time. At his request, S.O. to 07.11.2017 for satisfying the query.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017

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

**ORIGINAL APPLICATION NO. 327/2017.  
(Shri A. R. Pofale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

Heard Shri S. R. Dheple, learned Advocate for the applicant, Shri V. R. Bhumkar, learned Presenting Officer for respondents no.1 & 2 and Miss Bhavna Panpatil learned Advocate holding for Shri S. B. Talekar, learned Advocate for the Respondents no.3 & 4.

2. The learned P.O. files affidavit in reply of Respondent no.1. The same is accepted. Copy served on other side.

3. Miss Bhavna Panpatil learned Advocate holding for Shri S. B. Talekar, learned Advocate for the Respondents no.3 & 4 submits that, during course of the day reply would be filed. Copy be served on the other side.

4. S.O. to 01.11.2017. Interim relief to continue till then.

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION NO. 797/2016.  
(Shri G. A. Chavan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

Heard Shri C. V. Thombre, learned Advocate for the applicant and Shri learned Presenting Officer for respondents.

2. The learned P.O. files on record reply to the rejoinder. The same is accepted. Copy served on other side.

3. The learned Advocate for the applicant seeks time to go through the said reply. At his request, S.O. to 04.10.2017 for hearing on admission.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017

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

**ORIGINAL APPLICATION NO.566/2017.  
(Shri R. G. Mane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 27.09.2017.**

**ORAL ORDER :**

Heard Shri C. A. Shingare, learned Advocate holding for Shri M. R. Khutwad, learned Advocate for the applicant and Shri M. P. Gude, learned Presenting Officer for respondents.

2. Shri C. A. Shingare, learned Advocate holding for Shri M. R. Khutwad, learned Advocate for the applicant seeks time. At his request, S.O. to 31.10.2017 for satisfying the query.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 27-09-2017



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

**M.A. No. 342/2017 in O.A. No. 225/2016**  
**(Smt. Rukhmini Vs. The State of Maharashtra and Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 27.09. 2017.**

**ORAL ORDER:**

Heard Shri V.V. Deshmukh, learned counsel for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for collection of notices and extension of service of notices.

3. Issue fresh notices to the respondents in M.A., returnable on 1.11.2017.

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

5. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. S.O.to 01-11-2017.

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

**VICE CHAIRMAN**

ORAL ORDERS 27.09.2017-kpb

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

**M.A. No. 200/2017 in O.A. St. No. 335/2017**  
**(Dr. Raghuvir Vs. The State of Maharashtra and Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 27.09. 2017.**

**ORAL ORDER:**

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

2. Learned Advocate for the applicant has filed service affidavit. Same is taken on record.

3. S.O. to 14.11.2017.

**VICE CHAIRMAN**

ORAL ORDERS 27.09.2017-kpb

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

**M.A. No. 393/2017 in O.A. St. No. 1425/2017**  
**(Shri Asman & Ors. Vs. The State of Maharashtra and Ors.)**

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 27.09. 2017.**

**ORAL ORDER:**

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

2. For the reasons stated in the Misc. Application and since the cause, the prayers and reliefs sought are identical to avoid the multiplicity of proceedings, leave to sue jointly is granted. Accompanying O.A. be registered, if objections if any are complied with. M.A. stands disposed of accordingly. No order as to costs.

**VICE CHAIRMAN**

ORAL ORDERS 27.09.2017-kpb

**FARAD CONTINUATION SHEET**  
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**  
**AURANGABAD BENCH, AURANGABAD**  
**O.A. St. No. 1425/2017**  
**(Shri Asman & Ors. Vs. The State of Maharashtra and Ors.)**

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 27.09.2017.**

**ORAL ORDER:**

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

2. Issue notices to the respondents, returnable on 20.11.2017.

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. S.O.to 20-11-2017.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 370/2017**  
**(Shri Madan Vs. The State of Maharashtra and Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 27.09. 2017.**

**ORAL ORDER:**

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

2. Learned Chief Presenting Officer has filed on record a copy of order issued by the concerned respondent, which would show that the impugned transfer order is revoked.

3. In that view of the matter, nothing survives in the O.A. and therefore, the same stands disposed of without any order as to costs.

**VICE CHAIRMAN**

ORAL ORDERS 27.09.2017-kpb

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

**O.A. No. 539/2017 with Caveat No. 27/2017 & 39/2017  
(Dr. Sarita Vs. The State of Maharashtra & Ors.) with**

**ORIGINAL APPLICATION NO. 540/2017  
(Dr. Sakahari Vs. The State of Maharashtra & Ors.) with**

**O.A. No. 541/2017 with Caveat No. 29/2017  
(Dr. Manik Vs. The State of Maharashtra & Ors.) with**

**O.A. No. 542/2017 with Caveat Nos. 26/17, 28/17 & 43/17  
(Dr. Sunil Vs. The State of Maharashtra & Ors.) with**

**O.A. No. 559/2017 with Caveat No. 38/2017  
(Dr. Rajkumar Vs. The State of Maharashtra & Ors.) with**

**O.A. No. 564/2017 with Caveat No. 48/2017  
(Dr. Yashwant Vs. The State of Maharashtra & Ors.) with**

**O.A. No. 571/2017 with Caveat No. 49/2017  
(Dr. Shrinivas Vs. The State of Maharashtra & Ors.)**

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 27.09. 2017.**

**ORAL ORDER:**

Heard Shri V.B. Wagh, learned Advocate for the applicants in O.A. No. 539/17, 540/17, 541/17, 542/17 and 559/17, Shri A.S. Deshmukh, learned Advocate for the applicant in O.A. No. 564/2017. Shri Shamsundar B. Patil, learned Advocate for the applicant in O.A. No. 571/2017 (**Leave Note**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 in all O.As., Shri N.P. Dube, learned Advocate for respondent No. 4 in O.A. No. 539/2017 and Shri Mandar Dabholkar,

learned Advocate for respondent No. 5 in O.A. No. 571/2017. Shri Shamsundar B. Patil, learned Advocate for respondent No. 4 in O.A. No. 542/2017 (**Leave Note**).

2. Learned Advocate Shri A.S. Deshmukh, has filed on record true copy of the order passed by the Under Secretary of the State of Maharashtra, which would show that the transfers of some of the employees who were transferred by the identical transfer order along with the present applicant, had been revoked by the State in view of the certain direction issued by the Principal Bench of this Tribunal. Same is accepted and marked as document 'X' for the purposes of identification.

3. Learned Chief Presenting Officer submits that he will take instructions from the concerned respondent as to whether there is any difference in the cases of the present applicants than the cases of the employees in whose favour the decision of revoking transfer order is taken and further as to whether



corrective steps in the present cases also can be taken.

4. The report in this regard be filed on the next date.

5. At the request of learned Presenting Officer, S.O. to 11.10.2017 for filing report.

6. Learned C.P.O. to act upon steno copy and authenticated copy of this order.

**VICE CHAIRMAN**

ORAL ORDERS 27.09.2017-kpb

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

**ORIGINAL APPLICATION NO. 660/2017  
(Smt. Priyarani Vs. The State of Maharashtra and Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 27.09. 2017.**

**ORAL ORDER:**

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents.

3. Submissions of Shri A.S. Deshmukh, learned Advocate for the applicant would show that the present applicant is presently on maternity leave and she has given delivery to premature baby. He further submitted that while transferring the present applicant along with other employees she has given options for 4 stations. However, none of the options was accepted, though the posts were vacant there. He submits that in view of the premature delivery, it would be difficult for the applicant to join at Ghansawangi which is in the remote part of the Jalna district.

4. Considering all these facts, the respondent No. 1 is directed to take sympathetic view and to see as to whether the order can be revoked and fresh order can be issued.
5. Corrective steps be taken, if any and report thereof be filed on the next date.
6. S.O. to 6.10.2017.
7. Learned Presenting Officer to act upon steno copy as well as authenticated copy of this order.

**VICE CHAIRMAN**

ORAL ORDERS 27.09.2017-kpb

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

**ORIGINAL APPLICATION NO. 354/2017  
(Shri Devendra Vs. The State of Maharashtra and Ors.)**

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 27.09. 2017.**

**ORAL ORDER:**

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

2. Learned Advocate for the applicant has submitted that her senior is busy in the other Court.

3. Learned Presenting Officer strongly objected for adjournment on the ground that the interim relief is running against the respondents.

4. In these circumstances, in the interest of justice, as a last chance, S.O. to 10.10.2017. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDERS 27.09.2017-kpb

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

**ORIGINAL APPLICATION NO. 701/2017**  
**(Dr. Pradip Vs. The State of Maharashtra and Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 27.09. 2017.**

**ORAL ORDER:**

Heard Shri J.S. Deshmukh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 07.11.2017.

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. Considering the material on record, interim relief in terms of prayer clause-(f) is hereby granted till filing of the affidavit in reply by the respondents, which runs as under:-

“f) The respondent may kindly be restrained from recovering of alleged excess payment of Rs. 7,93,766/- (Rupees Seven Lakh Ninety three thousand seven hundred sixty six only) sought from applicant on account of alleged excess payment paid to him for the period 01.01.2006 to 30.06.2016.”

**8. Learned Advocate for the applicant has pointed out the earlier decision rendered by this Tribunal in O.A. No. 633/2014 (Annexure A-10, page No. 94). He has submitted that the issue of fixation of pay and recovery of excess payment has already been decided by this Tribunal in the said decision. He further submitted that still the concerned respondent has issued the impugned order of recovery.**

**9. The concerned respondent, is therefore, directed to consider the earlier decision rendered by this Tribunal. Upon considering the same, if the concerned respondent comes to the conclusion that its action of directing recovery is wrong, then the corrective steps shall be taken. The report of taking of such steps shall be filed in this Tribunal on the next date.**

**10. In case, upon taking conscious decision, the respondents come to the conclusion that the decision of this Tribunal is irrelevant to the present impugned order, then only the regular affidavit shall be filed on the next date.**

10. S.O.to 07-11-2017 for filing report etc.

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

**VICE CHAIRMAN**

ORAL ORDERS 27.09.2017 kpb