M.A.No.486/2017 IN O.A.St.No.1663/2017 (Bhaskar Deshpande & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018

ORAL ORDER:

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

- 2. Learned Advocate for the applicants prays for time for filing certain documents on record. Time is granted.
- 3. S.O. to 26-09-2018.

MEMBER (J)

YUK ORAL ORDER 31-08-2018 F

ORIGINAL APPLICATION NO.789/2016 (Rahul Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018

ORAL ORDER:

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents and Shri V.B.Wagh learned Advocate for respondent no.2.

- 2. On perusal of documents at paper book page 51, it reveals that respondent no.2 has produced documents for verification on 26-04-2016 and 19-04-2016 but the respondent Shri Laxmikant s/o. Prakashrao Satalkar, S.D.O., Shahada, Dist. Nandurbar has filed his affidavit stating that the documents filed applicant before are by the oral interviews, which were conducted on 22-04-2016 and 23-04-2016.
- 3. It seems that the statement made on oath by Shri Laxmikant s/o. Prakashrao Satalkar is

not in accordance with the facts and documents placed on record. Therefore, he was called upon to remain present before the Tribunal along with original record and explain the factual position. But he has not explained the said facts. Not only this but Shri Laxmikant s/o. Prakashrao Satalkar has not filed affidavit as per the directions given by the Tribunal on 07-09-2017.

- 4. Shri Laxmikant s/o. Prakashrao Satalkar is hereby directed to show cause as to why action should not be taken against him for flouting the order of the Tribunal on or before the next date.
- 3. S.O. to 27-09-2018.

MEMBER (J)

YUK ORAL ORDER 31-08-2018 F

ORIGINAL APPLICATION NO.83/2018 (Vyankat More & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018

ORAL ORDER:

Heard Shri T.B.Bhosle learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 09-10-2018.

MEMBER (J)

YUK ORAL ORDER 31-08-2018 F

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O. to 12.09.2018.

MEMBER (J)

M.A. No. 09/2018 in O.A. No. 929/1999 (Shri Narayan N. Wakchaure V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate holding for Shri S.N. Suryawanshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

- 2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents in M.A. Time granted.
- 3. S.O. to 25.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 596 OF 2017

(Smt. Meena R. Fattelashkari @ Lokhnowale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri K.B. Jadhav, 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 26.09.2018.

MEMBER (J)

M.A. No. 141/2018 in O.A. St. No. 555/2018 (Shri Bhaurao P. Gophane V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri K.B. Jadhav, 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 26.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 277 OF 2017 (Shri Sk. Md. Abdul Kareem V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, 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 26.09.2018.

MEMBER (J)

M.A. No. 203/2018 in O.A. No. 962/2018 (Shri Naserkhan R. Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODALE D D DAMII MINEDIDA (II)

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

- 2. Learned Presenting Officer has submitted that he will file the affidavit in reply in M.A. during the course of the day.
- 3. S.O. to 05.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 103 OF 2018 (Shri Sk. Gafar Sk. Rajjak V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O. to 05.09.2018.

MEMBER (J)

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri V.V. Tarde, learned Advocate holding for Shri V.U. Jadhav, 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 respondent Nos. 1 and 2. Time granted.
- 3. S.O. to 27.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 912 OF 2017 (Shri Balaji P. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 to 3. None present for respondent Nos. 4 & 5.

- 2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the other side.
- 3. S.O. to 10.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 655 OF 2018 (Shri Chagan B. Mahire V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri Y.H. Jadhav, learned Advocate for the applicant and Smt. S.K.Deshmukh-Ghate, learned Presenting Officer for respondents.

- 2. On instructions, the learned Advocate for the applicant has submitted that the applicant does not want to proceed with the present O.A. and wants to withdraw the same with liberty to file fresh O.A., as and when the cause of action arises. Therefore, he seeks leave of this Tribunal to withdraw the present O.A.
- 3. In view of the submissions made by learned Advocate for the applicant, leave as prayed for by the applicant is granted. Hence, the O.A. is disposed of as withdrawn with liberty to file fresh O.A. whenever the cause of action will arise. There shall be no order as to costs.

ORIGINAL APPLICATION NO. 668/2018 (Smt. Sangita S. Telang V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 31.08.2018.

ORAL ORDER:

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

- 2. Issue notices to the respondents, returnable on 10.10.2018.
- 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.
- In case notice is not collected within 7 days 7. 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. S.O. 10-10-2018.
- 9. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

M.A. No. 316/2018 in O.A. St. No. 1325/2018 (Shri Padmakar V. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

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

- 2. Issue notices to the respondents in M.A., returnable on 10.10.2018.
- 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, M.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 8. S.O. 10-10-2018.
- 9. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

ORIGINAL APPLICATION NO. 748 OF 2017 (Shri Parasram N. Sonawane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 31.08.2018.

ORAL ORDER:

Heard Ms. Himani Chhabra, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

- 2. Learned Advocate for the applicant has filed rejoinder affidavit to the affidavit in reply filed by the respondent Nos. 1, 4 & 5. Same is taken on record and the copy thereof has been served on learned Presenting Officer for the respondents.
- 3. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 03.10.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 85 OF 2018 (Shri Rangrao D. Devare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

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

- 2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a last chance.
- 3. S.O. to 03.10.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 417 OF 2018
(Shri Chhagan B. Chavan & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

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

- 2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.
- 3. S.O. to 03.10.2018.

MEMBER (J)

M.A. No. 33/2018 in O.A. St. No. 1844/2017 (Shri Akshay S. Jogdand V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Shri A.M. Gaikwad, learned Advocate for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for respondents, present.

- 2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents in M.A. Time granted.
- 3. S.O. to 04.10.2018.

MEMBER (J)

M.A. No. 50/2018 in O.A. No. 240/2016 (Shri Ramkisan B. Khajekar V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

- 2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents in M.A. Time granted as a most last chance.
- 3. S.O. to 07.09.2018.

MEMBER (J)

M.A. No. 143/2018 in O.A. St. No. 548/2018 (Shri Sawairam D. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 31.08.2018.

ORAL ORDER:

Heard Shri G.N. Kulkarni (Mardhikar), learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

- 2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents in M.A. Time granted.
- 3. S.O. to 03.10.2018.

MEMBER (J)

M.A. No. 144/2018 in O.A. St. No. 546/2018 (Shri Baliram D. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri G.N. Kulkarni (Mardhikar), learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

- 2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents in M.A. Time granted.
- 3. S.O. to 03.10.2018.

MEMBER (J)

M.A. No. 295/2018 in O.A. No. 559/2018 (Shri Venkat N. Mittewad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 31.08.2018.

ORAL ORDER:

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

- 2. Learned Chief Presenting Officer for respondent Nos. 1 to 3, as well as, learned Advocate for respondent No. 4 have submitted that they have no objection to allow the present M.A. for amendment.
- 3. In view of the submissions made by the learned C.P.O. and learned Advocate for respondent No. 4, the M.A. No. 295/2018 is allowed and the same stands disposed of with no order as to costs.

MEMBER (J)

O.A. No. 559/2018
(Shri Venkat N. Mittewad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

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

- 2. Learned C.P.O. has filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
- 3. S.O. to 12.09.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 40 OF 2018

(Shri Mohd. Rizwan Khan Samad Khan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 31.08.2018.

ORAL ORDER:

Heard Shri Kiran G. Salunke, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

- 2. Learned Advocate Shri A.D. Gadekar, has filed **VAKALATNAMA** on behalf of respondent No.
- 2. Same is taken on record.
- 3. Learned Advocate for the applicant has submitted that the notice to respondent No. 1 was duly served. He has submitted at bar that the office of the Superintending Engineer, Irrigation Department, Circle Aurangabad is known in regional as "Jayakwadi Prakalpa Mandal, Aurangabad". He has submitted that the stamp of the office of respondent No. 1 has been taken on the acknowledgment and therefore, he prayed to treat the service of respondent No. 1 as proper.

- 4. In view of the submissions made by the learned Advocate for the applicant, the service of notice on the respondent No. 1 is treated as proper. Hence, the office objection in that regard is overruled.
- 5. Learned Presenting Officer for respondent No. 1, as well as, learned Advocate for respondent No. 2 sought time to file affidavit in reply. Time granted.
- 6. S.O. to 28.09.2018.

MEMBER (J)

M.A.NO. 305/2012 IN O.A.NO. 586/2012 (Shri Bharat M. Bhosale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

: 31.08.2018 DATE

ORAL ORDER:

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

- 2. Learned Presenting Officer seeks time for filing sur-rejoinder. Time granted.
- 3. S.O. to 1st October, 2018 for filing surrejoinder.
- Learned Presenting Officer is directed to 4. serve the copy of sur-rejoinder on the learned Advocate for the applicant one week before the due date.

MEMBER (A)

ORIGINAL APPLICATION NO. 578 OF 2018 (Shri Sunil S. Ingle V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

Heard Shri G.J. Pahilwan, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Presenting Officer for the respondents.

- 2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
- 3. S.O. to 1st October, 2018. The applicant is at liberty to file rejoinder, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 206 OF 2018 (Dr. Prithviraj K. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

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

- 2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted as a last chance.
- 3. S.O. to 27th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 560 OF 2018 (Dr. Omprakash G. Kanade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

: 31.08.2018 DATE

ORAL ORDER:

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

- 2. Learned Chief Presenting Officer seeks time for filing affidavit in reply. Time granted as a last chance.
- 3. S.O. to 27th September, 2018.

MEMBER (A)

O.A.NOS. 231, 232 & 233 ALL OF 2018

[Smt. Aishwarya V. Mudholkar & Ors. Vs. State of Maharashtra and Ors.]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

- 1. Heard Shri Abhay Rathod, learned Advocate for the applicants in all these cases, Shri M.P. Gude, learned Presenting Officer for the respondent No. 1 in all these cases, Shri H.A. Joshi, learned Advocate for respondent No. 3 in O.A. No. 231/2018 and for respondent Nos. 10, 14, 20, 26, 34, 35, 36, 38, 43, 46, 47, 49, 51 & 52 in O.A. No. 232/2018, Shri M.B. Kolpe, learned Advocate for respondent No. 2 in all these cases, Shri V.B. Wagh, learned Advocate for respondent No. 30 in O.A. No. 232/2018 and Smt. Swati B. Nakhate, learned Advocate for respondent Nos. 6 & 65 in O.A. Nos. 231 & 233/2018.
- 3. Learned Advocate Shri M.B. Kolpe for respondent No. 2 seeks time to file affidavit in reply on his behalf. He undertakes to serve the copy of the same on the other side well in advance.
- 4. S.O. to 28th September, 2018.

MEMBER (A)

C.P. NO. 04/2017 IN O.A.NO. 122/2015 (Dr. Ashok B. Havelikar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

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

- 2. Learned Advocate for the applicant seeks time. Time granted.
- 3. S.O. to 28th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 1228 OF 2018 (Shri Vishwas L. Mahabale V/s. State of Maharashtra & Ors.)

OPRICE OPPER

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

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

- 2. On instructions, learned Advocate for the applicant submits that he would like to withdraw the present Original Application with liberty to file fresh Original Application.
- 3. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application stands disposed of as withdrawn with liberty to file fresh application. There shall be no order as to costs.

MEMBER (A)

ORIGINAL APPLICATION ST. NO. 1121 OF 2018 (Shri Ajay V. Keokatte V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM . AMILI DA I CILADILA MEMBED (A)

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

Heard Shri S.N. Lale Yelwatkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. In view of the objections raised by the Registry of this Tribunal, S.O. to 3rd September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 666 OF 2018 (Smt. Laxmi S. Gadage V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

- 2. Issue notices to the respondents, returnable on 4th October, 2018.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the

O.A. NO. 666 OF 2018

questions such as limitation and alternate remedy are kept open.

- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.
- 7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.
- 8. S.O. to 4th October, 2018.
- 9. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

ORIGINAL APPLICATION NO. 650 OF 2018 (Shri Shivaji R. Phalegaonkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

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

- 2. Learned Advocate for the applicant has filed a copy of Government Resolution dated 2.4.1976 and the same is taken on record and marked as document 'X' for the purposes of identification.
- 3. In view of the Government Resolution dated 2.4.1976, issue notices to the respondents, returnable on 4th October, 2018.
- 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up

O.A. NO. 650 OF 2018

for final disposal at the stage of admission hearing.

- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.
- 8. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.
- 9. S.O. to 4th October, 2018.
- 10. Steno copy and hamdust is allowed to both the sides.

MEMBER (A)

O.A.NO. 535/2015 WITH O.A.NO. 575/2013 (Smt. Shubhangi A. Shejule & Ors. V/s. State of Maharashtra & Ors.) -----

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

: 31.08.2018 DATE

ORAL ORDER:

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicants in both these cases and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents in both these cases.

2. Since Division Bench is not available, S.O. to 26th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 50 OF 2015 (Shri Rajendra B. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

: 31.08.2018 DATE

ORAL ORDER:

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Since Division Bench is not available, S.O. to 28th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 250 OF 2015 (Shri Pralhad S. Pande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Since Division Bench is not available, S.O. to 28th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 419 OF 2015 (Shri Dnyaneshwar D. Giri V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

Shri Manish N. Navandar, learned Advocate the applicant (absent). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. Since Division Bench is not available and none appears for the applicant, S.O. to 28th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 588 OF 2017 (Dr. Balasaheb R. Yadav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.08.2018

ORAL ORDER:

Shri D.T. Devane, learned Advocate for the applicant has filed leave note. Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. Since Division Bench is not available and learned Advocate for the applicant has filed leave note, S.O. to 28th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 118/2018 (Sharad G. Jade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.8.2018

ORAL ORDER:

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

2. The present matter be placed before the Division Bench on 19.9.2018 for admission hearing. Learned P.O. is directed to keep before the Tribunal the original records of D.P.Cs. right from the year 2009 onwards, for perusal.

MEMBER (A)

ORIGINAL APPLICATION ST. NO. 1476/2018 (Rahul S. Shirsath V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

: 31.8.2018 DATE

ORAL ORDER:

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

- 2. Learned Advocate for the applicant undertakes to remove the office objections within 3 days.
- On removal of office objection, issue notice before admission to the respondents, returnable on 3.10.2018.
- Tribunal may take the case for final 4. 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 0.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rifles, 1988, and the questions such as limitation and alternate remedy are kept open.
- 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit compliance and notice.

O.A. ST. NO. 1476/2018

- 8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 9. S.O. to 3.10.2018.
- 10. Steno copy / humdast allowed for both the sides.

MEMBER (A)

ORIGINAL APPLICATION NO. 736/2012 (Devidas R. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.8.2018

ORAL ORDER:

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

2. Learned P.O. seeks time for filing affidavit in reply of the respondents to the amended O.A. Time granted. S.O. to 1.10.2018.

MEMBER (A)

ORIGINAL APPLICATION NOS. 212, 213, 214 & 215/2018 (Ashok G. Labde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM . AMILI DA LOUADUA MEMBED (A)

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 31.8.2018

ORAL ORDER:

Heard Ms. Preeti Wankhade, learned Advocate for the applicants in all these matters and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents in all these matters.

- 2. As the learned Advocate for the applicants has come up with the case that D.P.C. would be held on 1.9.2018 and, therefore, the matter was heard in urgency.
- 3. Learned Advocate for the applicants has also placed on record a copy of order of Hon'ble Supreme Court dtd. 5.6.2018 in S.L.P. no. 31288/2017 [The State of Maharashtra & Anr. Vs. Vijay Ghogre & Ors.]. The said copy is taken on record and is kept at page nos. 125 to 127 of the O.A. On going through the said judgment, it reveals that "the Hon'ble Supreme Court had made it clear that the Union of India is not debarred from making promotions in accordance with law, subject to further orders, pending further consideration of the matter".
- 4. Learned C.P.O. has placed on record copy of communication dtd. 13.7.2018 received to him from Dy. Director (Revenue), Divisional Commissionerate, Aurangabad thereby directing all the Collectors of

O.A. NOS. 212, 213, 214 & 215/2018

Marathwada region to collect the information of all the eligible candidates as on 1.9.2018, who have completed 3 years of service, in the prescribed proforma. The said communication is taken on record and marked as document 'X' at and is kept at page 127 of O.A. for the purpose of identification.

- 5. At this stage, this Tribunal cannot interfere in the selection / promotion process. However, it would be observed that the selection process will be made undertaken by taking into consideration the directions of Hon'ble Supreme Court in the above mentioned judgment and as per law.
- 6. Learned Advocate for the applicants later submits that the present matter be placed before the Division Bench at the earliest in view of the D.P.C. held on 14.2.2018.
- 7. At her request, S.O. to 19.9.2018.
- 8. Steno copy / hamdast allowed for the use of both the sides.

MEMBER (A)

O.A. NOS. 882/2016 & 65/2017

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

: 31.8.2018 DATE

ORAL ORDER:

Heard Shri S.D. Joshi, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents.

- 2. The present matters are reserved for orders on 13.8.2018 with liberty to learned P.O. to file written notes of arguments within 2 weeks.
- 3. Today learned P.O. has mentioned the matters and sought another 2 weeks time to file written notes of arguments. Time of 2 weeks is hereby granted for filing written notes of arguments by the learned P.O.

MEMBER (A)