ORIGINAL APPLICATION NO. 918/2017 (Shri Sk. Sadik Sk. Kasim V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate holding for Shri V.D. Patnoorkar, 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. 22.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 507/2018 (Dr. Shweta V. Katkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, 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. 18.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 718/2018 (Shri Balasaheb N. Kadam V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. 15.01.2019 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 720/2018 (Mrs. Sulbha B. Khanale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri A.S. Shelke, learned Advocate holding for Shri Ajit Kadethankar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

- 2. Learned Presenting Officer 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 other side.
- 3. S.O. 23.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 721/2017 (Shri Bhagwan L. Sangle V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 & 4 and Smt. S.A. Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 & 3.

At the request of learned Presenting Officer,
 S.O. 21.01.2019 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 795/2018 (Shri Kailas P. Shirsath V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

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

2. At the request of learned Presenting Office for respondents, S.O. 24.01.2019 for filing affidavit in reply.

MEMBER (J)

M.A. No. 417/2018 in O.A. St. No. 1785/2018 (Shri Dangal S. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. 18.01.2019 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 152/2018 (Shri Sarjerao S. Sabhadinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

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

- 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. 24.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 883/2018 (Shri Sawairam D. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

Heard Shri G.N. Kulkarni (Mardikar), learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

- 2. Issue notices to the respondents, returnable on 21.01.2019.
- 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 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.
- 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, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 21.01.2019.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 887/2018 (Dr. Sumant N. Wagh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

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

- 2. Issue notices to the respondents, returnable on 23.01.2019.
- 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 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.
- 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, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 23.01.2019.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 899/2018 (Dr. Madhukar B. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

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

- 2. Issue notices to the respondents, returnable on 11.01.2019.
- 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 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.
- 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, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 11.01.2019.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 908/2018 (Shri Tushar S. Marathe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

- 2. Issue notices to the respondents, returnable on 09.01.2019.
- 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 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.
- 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, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 09.01.2019.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

M.A. No. 470/2018 in O.A. St. No. 1818/2018 (Dr. Vinayak S. Sirsat & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

Heard Shri S.D. Joshi, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicants, S.O. to 10.12.2018.

MEMBER (J)

M.A. No. 476/2018 in O.A. St. No. 2008/2018 (Smt. Kavita D. Hiwrale & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

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

- 2. This is an application preferred by the applicants seeking leave to sue jointly.
- 3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.
- 4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 2008/2018 (Smt. Kavita D. Howrale & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

- 2. Issue notices to the respondents, returnable on 25.01.2019.
- 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 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.
- 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, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 25.01.2019.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 799/2016 (Shri Bhura R. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

Shri H.A. Joshi, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer for the respondents, S.O. 25.01.2019 for filing sur-rejoinder.

MEMBER (J)

ORIGINAL APPLICATION NO. 202/2017 (Shri Ashok B. Wagh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri A.S. Shelke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, as a most last chance, S.O. 11.01.2019 for filing short affidavit, failing which the heavy costs will be saddled on the respondent No. 2 and the same will be recovered from the respondent No.2 personally.

MEMBER (J)

ORIGINAL APPLICATION NO. 915/2017 (Shri Adikrao S. Mane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

- 2. Learned Presenting Officer 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 other side.
- 3. S.O. 25.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 143/2018 (Shri Sopan K. Shelke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri D.V. Khillare, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1, 2, 4, 5 & 7 and Shri Shamsundar B. Patil, learned Advocate for respondent Nos. 3 and 6.

- 2. Learned Presenting Officer has submitted that there is no need to file affidavit in reply on behalf of respondent Nos. 1 and 2.
- 3. At the request of learned Advocate for respondent Nos. 3 and 6, S.O. 28.01.2019 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 262/2018 (Dr. Sanjiv K. Munde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

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

2. At the request of learned Presenting Officer, as a last chance, S.O. 23.01.2019 for filing affidavit in reply on behalf of respondent Nos. 1 and 2.

MEMBER (J)

ORIGINAL APPLICATION NO. 266/2018 (Dr. Sandeep J. Kala V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, as a last chance, S.O. 23.01.2019 for filing affidavit in reply on behalf of respondent Nos. 1 and 2.

MEMBER (J)

O.A. NO. 417/2018 WITH M.A. NO. 467/2018 (Shri Chaggan B. Chavan & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

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

- 2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and the copy thereof has been served on the other side.
- 3. At the request of learned Advocate for the applicant, S.O. 19.12.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 494/2018 (Shri Gangadhar L. Kamble & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

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

- 2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2. 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 rest of the respondents. Time granted.
- 3. S.O. 15.01.2019.

MEMBER (J)

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Shri A.D. Raut, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 and 2, present. Shri R.B. Ade, learned Advocate for respondent No. 3, **absent**.

- 2. No affidavit in reply is filed by the respondent No. 3.
- 3. As none present for the applicant, S.O. 28.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 563/2018 (Shri Pandurang D. Lahoti V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

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

- 2. It seems that on 01.11.2018 it has been wrongly mentioned that the present matter was posted for filing rejoinder affidavit, but the affidavit in reply is not filed by the respondents.
- Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents.
 Time granted.
- 4. S.O. to 21.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 659/2018 (Shri S.B. Bhamre V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

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

- 2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2. Same is taken on record and the copy thereof has been served on the other side. He has submitted that there is no need to file affidavit in reply on behalf of respondent No. 1.
- 3. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 10.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 712/2018 (Shri Sandipan A. Gavali V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Shri D.K. Rajput, learned Advocate for the applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer for the respondents, S.O. 25.01.2019 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 743/2018 (Shri Bhimrao N. Kokate V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

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

2. At the request of learned Chief Presenting Officer for the respondents, S.O. 22.01.2019 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 758/2018 (Dr. Prashant K. Kharate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

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

- 2. Learned Presenting Officer has submitted that the respondent No. 3 does not want to file affidavit in reply in view of communication dated 04.12.2018. Same is taken on record and marked as document 'X' for the purposes of identification.
- 3. Learned Presenting Officer seeks time to argue the matter. Time granted.
- 4. S.O. 07.12.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 811/2018 (Shri Madhav V. Kale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

Heard Shri G.M. Ghongade, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. 11.01.2019 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 812/2018 (Shri Bhagwant P. Kapale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

- 2. It seems that the present O.A. was posted on 04.12.2018, but it had not been listed on 04.12.2018 and it has been listed on today's board i.e. on 05.12.2018.
- 3. At the request of learned Presenting Officer for the respondents, S.O. 07.01.2019 for filing affidavit in reply.

MEMBER (J)

ORIGINAL APPLICATION NO. 822/2018 (Shri Virendra P. Dhivare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

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

2. At the request of learned Presenting Officer for the respondents, S.O. 24.01.2019 for filing affidavit in reply.

MEMBER (J)

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Ms. Rashmi V. Chakurkar, learned Advocate holding for Dr. Kalpalata Patil-Bharaswadkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. 28.01.2019.

MEMBER (J)

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

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

2. At the request of learned Presenting Officer for the respondents, S.O. 11.01.2019.

MEMBER (J)

ORIGINAL APPLICATION NO. 139/2018 (Shri Popat D. Jahdav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

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

- 2. Learned C.P.O. has submitted that today the respondents are depositing the amount of costs of Rs. 5000/- in view of the order passed by this Tribunal on 30.10.2018 and he has prayed to grant time for depositing the remaining amount of costs of Rs. 10,000/-. Time granted.
- 3. At the request of learned Chief Presenting Officer, S.O. 07.12.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 719/2016 (Shri Pandurang M. Chandanshiv V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

Heard Shri L.H. Kawale, learned Advocate holding for Shri K.J. Suryawanshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 3.

- 2. Learned Advocate Shri V.M. Chate, has filed **VAKALATNAMA** on behalf of respondent Nos. 4 & 5. Same is taken on record. He seeks time for filing affidavit in reply behalf of respondent Nos. 4 & 5.
- 3. The Ho'ble High Court has quashed and set aside the order of this Tribunal with Clause No. 2 passed in O.A. No. 719/2016 on 02.02.2018 and remanded the matter for deciding the O.A. afresh to that extent.
- 4. On perusal of the record, it reveals that the O.A. No. 719/2016 has been decided by the Hon'ble Chairman and therefore, in my view, it is just and proper to place the present matter before the Hon'ble Chairman.
- 5. Hence, the present matter is removed from the Board and it be placed before the Hon'ble Chairman.

ORIGINAL APPLICATION NO. 736 OF 2017

[Shri Sanjay U. Kale Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

ATUL RAJ CHADHA, MEMBER (A)

DATE: 05.12.2018.

ORAL ORDER:

- 1. Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
- 2. Learned Advocate for the applicant submits that though he has obtained time on 6.9.2018 for searching documentary evidence, the same could not be searched so far. In the circumstances, as a last chance, S.O. to 15.01.2019 either for filing documents, if any or for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 805 OF 2017

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri Vishnu Dhoble, learned Advocate for the applicant, Mrs. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 to 3 and Shri Avinash S. Deshmukh, learned Advocate for respondent No. 4.
- 2. At the request of learned Advocate for the applicant, S.O. to 08.01.2019 for hearing, as a last chance.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 487 OF 2017

[Shri Bhagwanrao J. Nagargoje Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

: 05.12.2018.

ORAL ORDER:

DATE

- 1. Heard Shri Amol N. Patale, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, present.
- 2. It appears from the proceedings that affidavit in reply on behalf of respondent Nos. 1 to 5 has already been filed on record.
- 3. Learned Advocate for the applicant has filed rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.
- 4. S.O. to 14.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 570 OF 2016

[Shri Kamlakar P. Jaybhaye Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

- 1. Heard Shri P.B. Rakhunde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
- 2. Upon hearing both sides, it appears that though in paragraph No. 5 of the affidavit in reply, the concerned respondents have given details regarding the reasons for superseding the present applicant while considering for promotion, the minutes of the respective DPC meetings are not filed on record.
- 3. Learned Presenting Officer seeks time to file copies of the minutes of the meeting if available. At his request, S.O. to 03.01.2019 for hearing on the above line.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 17/2017 IN O.A.NO. 63/2015

[Shri Saylu P. Nawod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

- 1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
- 2. It is an admitted fact that the O.A. is already remanded by the Hon'ble High Court to this Tribunal. In the circumstances, contempt petition would not survive and, therefore, the same is hereby disposed of without any order as to costs.
- 3. O.A. No. 63/2015 be placed before the appropriate bench for further proper hearing on 19.12.2018.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 791 OF 2018

[Shri Gajanan T. Patil Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 05.12.2018.

ORAL ORDER:

- 1. Heard Smt. Sunita D. Shelke, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 & 2 Smt. Suchita Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for respondent Nos. 3 & 4.
- 2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 3 & 4 and the same is taken on record and the copy thereof has been served on the other side.
- 3. Both the sides submit that the O.A. itself may be heard finally. In the circumstances, S.O. to 11.12.2018 for final disposal.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 762 OF 2018

[Shri Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

ATUL RAJ CHADHA, MEMBER (A)

DATE: 05.12.2018.

ORAL ORDER:

- 1. Shri Mahesh C. Swami, learned Advocate for the applicants (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, present.
- 2. Learned Chief Presenting Officer seeks time for taking instructions as asked by him vide order dated 05.10.2018. It is to be noted that the present O.A. is adjourned for many occasions with similar prayer. S.O. to 19.12.2018, failing which this Tribunal would be constrained to take such strict action including imposition of heavy costs that may be deemed fit.
- 3. Learned Presenting Officer to at act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 802 OF 2018

[Shri Jitendra B. Mutyalu Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri Sanjay B. Bhosale, 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 09.01.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

T.A.NO. 09/2018 [W.P.NO. 11503/2018]

[Shri Ashish S. Shejwal & Anr. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.
- 2. Learned Presenting Officer submits that the affidavit in reply on behalf of respondent Nos. 1 & 2 would be filed during the course of the day. It be accepted.
- 3. S.O. to 09.01.2019.

MEMBER (A)

VICE CHAIRMAN

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, VICE CHAIRMAN AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

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. Learned Presenting Officer submits that during the course of the day affidavit in reply on behalf of respondent Nos. 2 & 4 would be filed.
- 3. S.O. to 17.01.2019.

MEMBER (A)

VICE CHAIRMAN

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, VICE CHAIRMAN AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
- 2. At the request of learned Presenting Officer, S.O. to 22.01.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

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, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri B.V. Thombre, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.
- 2. Learned Advocate for the applicant submits that service affidavit regarding respondent No. 2 is already filed in the office.
- 3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of all the respondents. Time granted.
- 4. S.O. to 23.01.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 906 OF 2018

[Shri Chetan S. Ahire Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, VICE CHAIRMAN

ATUL RAJ CHADHA, MEMBER (A)

DATE: 05.12.2018.

ORAL ORDER:

- 1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
- 2. Issue notice to respondents, returnable on 23.01.2019.
- 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 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.
- 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.

O.A. NO. 906 OF 2018

- 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, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 23.01.2019.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 209 OF 2004

[Shri Shaikh Abdul Khaja Miyan Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
- 2. At the request of learned Advocate for the applicant, S.O. to 07.12.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 316 OF 2018

[Dr. Dattatraya B. Gholap & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, VICE CHAIRMAN

<u>CORAM</u>: JUSTICE M.T. JOSHI, VICE CHAIRMAI AND ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri Vivek V. Ingle, learned Advocate for respondent No. 4.
- 2. At the request of learned Advocate for the applicant, S.O. to 10.12.2018. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

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, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Shri Ashish Rajkar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant, present. Shri Girish Shukla, learned Special counsel for the respondent (absent).
- 2. At the request of learned Advocate for the applicant, S.O. to 09.01.2019.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 74/2018 IN O.A.NO. 702/2018

[Shri Dashrath G. Bhure & Ors. Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.
- 2. At the request of learned Presenting Officer, S.O. to 08.01.2019 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 237 OF 2018

[Shri Rahul P. Bhalerao Vs. State of Maharashtra & Ors]

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OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
- 2. At the request of learned Chief Presenting Officer, S.O. to 10.12.2018 for filing affidavit in reply on behalf of respondent Nos. 1 & 3.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 848 OF 2017

[Smt. Ranipanchsheela S. Bansode Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

ATUL RAJ CHADHA, MEMBER (A)

DATE : 05.12.2018.

ORAL ORDER:

- 1. Heard Shri Prafulla D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4. None appears for respondent No. 5.
- 2. It appears from the proceedings that affidavit in reply on behalf of respondent Nos. 1, 3 & 4 has already been filed on record.
- 3. At the request of learned Advocate for the applicant, S.O. to 03.01.2019 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 914/2018 (Shri Rohan S. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

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

- 2. Issue notice to respondents, returnable on 8-1-2019.
- 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 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.
- 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

::-2-:: O.A. NO. 914/2018

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, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O. to 8-1-2019.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A) VICE CHAIRMAN

M.A. NO. 407/2018 IN O.A. ST. NO. 1303/2018 (Shri Vikaram N. Mhaske V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

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

2. By the present misc, application the applicant is seeking condonation of 9 years & 10 months delay caused in filing the accompanying original application. The record would show that the present applicant was terminated from service, after due enquiry, by the order issued by the competent authority dtd. 24.6.2003. The appellate authority vide order dtd. 5.5.2005 also confirmed the termination order. Thereafter the present applicant filed revision before the res. no. 4 and the same is also dismissed by the competent authority vide order dtd. 28.4.2006. Thereafter, present applicant has filed accompanied O.A. on 31.7.2018 challenging his termination. there was delay of 9 years & 10 months in filing the O.A. the applicant has filed the present misc. application on 25.9.2018 for condonation of said delay caused in filing the O.A.

<u>::-2-::</u> <u>M.A. NO. 407/2018 IN</u> O.A. ST. NO. 1303/2018

- 3. Learned Advocate for the applicant submits that due to domestic difficulties the applicant has not approached the competent forum within time for redressal of his grievance. He submits that in the year 2004 the second wife of the applicant expired due to blood cancer leaving behind one daughter and one son. He further submits that he had to main two daughters from his first wife as she expired in the year 1998. He also submits that father of the applicant expired in the year 2011 and due to all these domestic difficulties he was unable to approach the competent forum for redressal of his grievance within time.
- 4. Learned P.O. objected the submissions. She submits that vague pleadings are made by the applicant for challenging the impugned order of termination. There are no justifiable reasons.
- 5. Upon hearing both the sides, in our view, the applicant has not made out the case for condonation of 9 years & 10 months delay caused in filing the accompanying O.A. The delay is not properly explained. In the circumstances, the present misc. application is dismissed. In view of dismissal of misc. application, the registration of original application is hereby refused. There shall be no order as to costs.

ORIGINAL APPLICATION NO. 854/2017
(Shri Uday Sahebrao Gavhane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

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

2. Upon hearing both the sides, the learned Advocate for the applicant submits that in view of amendment to the provisions of rule 27 (2) of the M.C.S. (Pension) Rules, 1982 the appointing authority can very well initiate a departmental enquiry within the stipulated time even after superannuation of the employee. He, however, submits that the fact would show that the applicant is superannuated on 30.6.2017 and the departmental enquiry is now initiated against him. He submits that so far as monetary aspect is concerned, the Annex. A-1 page 11 would show that amount of Rs. 62,350.90 is alleged to be recovered from the applicant for the loss caused to the Government. He submits that the entire amount of gratuity of the applicant, however, is withheld by the appointing authority in view of pendency of the departmental enquiry.

::-2-:: O.A. NO. 854/2017

3. In the circumstances, the present O.A. is disposed of without any order as to costs.

The res. no. 2 is directed to consider the case of the present applicant for payment of gratuity amount by reserving such a amount as may be deemed fit in view of the charges i.e. recovery of an amount of Rs. 62,350.90 from the applicant. The said decision shall be taken within a period of 3 months from the date of this order.

It is hereby further directed that the D.E. against the present applicant shall be expedited in view of the fact that he is retired in the year 2017 and it be concluded within one year from the date of this order in case the applicant cooperates.

MEMBER (A) VICE CHAIRMAN

ORIGINAL APPLICATION NO. 678/2017
(Shri Makarand S. Bhalerao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

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

2. It appears that the learned Advocate is not satisfied with the oral submissions. Hence, he is at liberty to file written notes of arguments and thereafter the decision in the present O.A. would be passed. In the circumstances, S.O. to 10.12.2018 for filing written notes of arguments, if any, by the learned Advocate for the applicant.

MEMBER (A)

VICE CHAIRMAN

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

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

Heard Shri Milind Patil, learned Advocate for the applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondents, is present.

2. Learned P.O. files written notes of arguments in view of the order dtd. 27.11.2018. It appears from the record that the learned Advocate for the applicant has already filed written notes of arguments. In the circumstances, the present matter is reserved for order.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 583/2014
(Shri Bhausaheb S. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM. HICKOR M.M. LOCHII MICE CHAIRMAN

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent nos. 1 to 4. Shri A.C. Deshpande, learned Advocate for respondent nos. 5 & 6 (absent).

2. At the request of Shri Khadap, learned Advocate holding for Shri Thombre, learned Advocate for the applicant S.O. to 11.12.2018 for filing additional affidavit of the applicant giving explanation to para no. 13 of the affidavit in reply of res. nos. 1 to 3, as per the order of the Tribunal dtd. 23.10.2018.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NOS. 474 AND 740 BOTH OF 2016 (Shri Nagorao K. Gaikwad & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

Heard Shri R.K. Ashtekar, learned Advocate for the applicants in both the matters and Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 to 3 in both the matters. Shri B.N. Patil, learned Advocate for respondent no. 6 in O.A. no. 474/2015 (absent). None appears for respondent nos. 4 & 5 in O.A. no. 474/2015. Shri Swapnil Tawshikar, learned Advocate for respondent nos. 4 & 5 in O.A. no. 740/2016 (absent).

2. Learned P.O. files on record copies of relevant rules as per directions of the Tribunal vide order dtd. 25.9.2018. The same are taken on record and copies thereof are supplied to other side. Learned Advocate for the applicants submits that he would go through the said rules and make his submissions on the next date. In the circumstances, S.O. to 19.12.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 187/2017 (Shri Shabdashree T. Bhange V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM . HICTICE M T LOCHI MICE CHAIDMAN

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

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

2. Learned P.O. seeks time for advancing her submissions. At her request, S.O. to 12.12.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

M.A. 479/2018 IN O.A. 592/2017 (Association of Pharmacy Teachers of India, through its Members

(Sabir Husain Attar s/o Fazal Husain Attar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

Heard Shri G.P. Darandale, learned Advocate holding for Shri A.N. Kakade, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. As per the liberty granted by the Tribunal vide order dtd. 24.10.2018 in O.A., the learned Advocate for the applicant has filed M.A. bearing no. 479/2018 for permission to carry out certain amendment in the O.A. Learned C.P.O. seeks time to file affidavit in reply of the concerned respondent to the said amendment application. At his request, S.O. to 20.12.2018 for reply of the respondent to the misc. application for amendment.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 550/2014
(Shri Jagannath K. Kagle & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM - HICKOR M M LOCHI MICE CHAIRMAN

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

Heard Shri H.A. Joshi, learned Advocate for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 14.12.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 440/2017 (Shri Vijay R. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

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

2. Learned Advocate for the applicant has frilled rejoinder and submits that similarly situated candidate has been appointed by the res. no. 3. Learned P.O. seeks time to go through this pleading of the applicant and submits that, if required, she would file surrejoinder. In the circumstances, at the request of learned P.O., S.O. to 19.12.2018 for filing surrejoinder, if any, and also for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 899/2017 (Shri (Dr.) Vandana S. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM. HIGTICE M T LOCHI VICE CHAIDMAN

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

Heard Shri G.N. Khanzode, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent nos. 1 to 3. S/shri Gunratan Sadavarte / Ramdas Gaikwad, learned Advocate for respondent no. 4 (**absent**).

2. At the request of learned P.O., S.O. to 19.12.2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NOS. 492 AND 508 BOTH OF 2018 (Shri Arun R. Pawar & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM. HICKIGE M.W. LOCHI MICE CHAIDMAN

CORAM: JUSTICE M.T.JOSHI, VICE CHAIRMAN

AND

ATUL RAJ CHADHA, MEMBER (A)

DATE : 5.12.2018

ORAL ORDER:

Heard Shri Atul P. Shejul, learned Advocate for the applicants in both the matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both the matters.

2. At the request of learned Advocate for the applicants, S.O. to 3.1.2019 for final hearing.

MEMBER (A)

VICE CHAIRMAN