

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

**M.A.St.No.1639/2017 IN O.A.St.No.1488/2017
(Krushi Utpanna Bajar Samiti Seva Nivrutta Karmachari Sanghatana
V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri Milind Patil learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Applicant is a registered organization of retired employees of Agriculture Produce Market Committee (APMC), Parbhani. The applicant has challenged communication dated 24-04-2017 issued by the Director of Marketing rejecting the claim of pension of the employees of APMC, Parbhani, who are members of the applicant organization and prayed to quash and set aside the said order by filing the present O.A.

3. Shri Milind Patil, learned Advocate of the applicant has submitted that S.15(1) of the Administrative Tribunals Act, 1985 ("the Act" for short) deals with the matters relating to Government servants while sub section (2) of S.15 of the Act deals with the institutions or organizations owned and controlled by the State

Government. He has submitted that since the members of the applicant organization are recognized as Government employees, this Tribunal is empowered to deal with the matters in view of the provisions of S.15(1) and issuance of notification by the Government u/s.15(2) of the Act of 1985 is not required.

4. Learned Advocate of the applicant has submitted that the similarly situated employees like the members of the organization are recognized as government servants by Hon'ble High Court in Writ Petition No.35/1990 in the case of **The President, Latur District Pensioners Association V/s. The State of Maharashtra & Ors** decided on 15th and 16th September, 1993 and also in Writ Petition No.8226/2006 in the case of **Jagannath Laxminaraya Indani & Ors. Vs. The State of Maharashtra & Ors.** decided by the Hon'ble High Court on 09-06-2014. He has submitted that since the status of the members of the applicant organization have been recognized as government

employees, the present O.A. is maintainable u/s.15(1) of the Administrative Tribunals Act, 1985. He has submitted that as the members of the organization are recognized as government employees, provisions of S.15(2) of the Act will not come in their way. He has submitted that some of the matters wherein the jurisdiction of the Tribunal was involved were pending before the Principal Bench of the Tribunal at Mumbai. He has submitted that by keeping the issue of maintainability open, present O.A. may be registered and heard on merit.

5. Learned P.O. has submitted that in view of the provisions of S.15(2) of the Administrative Tribunals Act, 1985, State Government has to issue notification to apply the said provisions of S.15(3) to local bodies or other authorities, corporations or societies controlled or owned by the State Government. She has submitted that no such notification has been issued as regards Agriculture Produce Market Committee by the State Government as the said organization is controlled by the State Government. She has

submitted that in the absence of such notification this Tribunal has no jurisdiction to entertain the matters relating to the employees of the Corporations or Societies, and therefore, she prayed to reject the O.A.

6. I have gone through the provisions of S.15(1) and S.15(2) of the Administrative Tribunals Act, 1985 which are reproduced hereunder:

" 15. Jurisdiction, powers and authority of State Administrative Tribunals-

(1) Save as otherwise expressly provided in this Act, the Administrative Tribunal for a State shall exercise, on and from the appointed day, all the jurisdiction, powers and authority exercisable immediately before that day by all Courts (except the Supreme Court in relation to-

(a) recruitment, and matters concerning recruitment, to any civil service of the State or to any civil post under the State;

(b) all service matters concerning a person [not being a person referred to in clause (c) of this sub-section or a member, person or civilian referred to in clause (b) of sub-section (1) of section 14] appointed to any civil service of the State or any civil post under the State and pertaining to the service of such person in connection with the

affairs of the State or of any local or other authority under the control of the State Government or of any corporation [or society] owned or controlled by the State Government;

(c) all service matters pertaining to service in connection with the affairs of the State concerning a person appointed to any service or post referred to in clause (b), being a person whose services have been placed by any such local or other authority or corporation [or society] or other body as is controlled or owned by the State Government, at the disposal of the State Government for such appointment.

(2) The State Government may, by notification, apply with effect from such date as may be specified in the notification the provisions of sub-section (3) to local or other authorities and corporations [or societies] controlled or owned by the State Government:

Provided that if the State Government considers it expedient so to do for the purpose of facilitating transaction to the scheme as envisaged by this Act, different dates may be so specified under this sub-section in respect of different classes of, or different categories under any class of, local or other authorities or corporations [or societies]."

7. On going through the said provisions, it is crystal clear that in view of the provisions of sub-section (2) of section 15, the Government has to issue notification to apply provisions of sub section 2 of section 15 to the corporations and local authorities controlled or owned by the State

Government. After issuance of such notification, Tribunal will have jurisdiction to entertain matters of the employees of the government owned corporations or societies. Admittedly, no such notification as regards organizations like respondents, namely, Agriculture Produce Market Committee, which is an organization controlled by the Government, has been issued till today.

8. Therefore, in my view, in the absence of such notification, this Tribunal has no jurisdiction to entertain the service disputes in relation to the matters of the employees of the said institution or organization, and therefore, the present O.A. is not maintainable. Since, the O.A.St.No.1488/2017 is not maintainable in view of S.15(2) of the Administrative Tribunals Act, 1985, same is liable to be dismissed. Since the O.A. is not maintainable, M.A.St.No.1639/17 cannot be considered. Hence, M.A.St.No.1639/17 and O.A.St.No.1488/17 are dismissed. No order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 173/2017
(Mukund B. Lokhande V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. The learned Advocate has filed on record the written instructions from the applicant, which is taken on record and marked as document 'X' for the purpose of identification. He submits that the applicant does not wish to proceed with the present O.A. and, therefore, he be permitted to withdraw the present O.A. however, liberty be granted to him to file fresh O.A. in case any exigency arises.

3. In the circumstances, the present O.A. stands disposed of as withdrawn without any order as to costs with liberty to the applicant as prayed for by the applicant.

VICE CHAIRMAN

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

**MA 473/2017 IN OA ST. 1746/2017
(Sayeeda Begum V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Smt. U.T. Pathan, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents in the present M.A., returnable on 4.1.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Respondent is 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 question 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 4.1.2018.

8. Steno copy & hamdast allowed to both the sides.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**ORIGINAL APPLICATION NO. 839/2017
(Dr. Sanjay V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. Issue notices to the respondents in the present O.A., returnable on 3.1.2018.

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. Respondent is 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 question 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. Liberty is hereby granted to the applicant to move for interim relief in case, if any, exigency arises.

8. S.O. to 3.1.2018.

9. Steno copy & hamdast allowed to both the sides.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**ORIGINAL APPLICATION NO. 841/2017
(Dr. Anju V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. Issue notices to the respondents in the present O.A., returnable on 5.1.2018.

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. Respondent is 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 question 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. Before filing any detailed affidavit in reply the concerned respondents are directed to go through the decisions of this Tribunal as well order passed by the Division Bench of Hon'ble Bombay High Court, Bench at Aurangabad in W.P. No. 3484/2005 and others dtd. 27.11.2008 (page 58 of the O.A.). Upon perusal of the said decisions corrective steps, if any, be taken by the concerned respondents and the report thereof be filed on the next date. In case for any other reasons, the respondents come to the conclusion that no corrective steps can be taken in the matter, then short affidavit explaining the reasons be filed on the next date.

8. S.O. to 5.1.2018.

9. Steno copy & hamdast allowed to both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 842/2017
(Dr. Vaishali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. Issue notices to the respondents in the present O.A., returnable on 5.1.2018.

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. Respondent is 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 question 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. Before filing any detailed affidavit in reply the concerned respondents are directed to go through the decisions of this Tribunal as well order passed by the Division Bench of Hon'ble Bombay High Court, Bench at Aurangabad in W.P. No. 3484/2005 and others dtd. 27.11.2008 (page 58 of the O.A.). Upon perusal of the said decisions corrective steps, if any, be taken by the concerned respondents and the report thereof be filed on the next date. In case for any other reasons, the respondents come to the conclusion that no corrective steps can be taken in the matter, then short affidavit explaining the reasons be filed on the next date.

8. S.O. to 5.1.2018.

9. Steno copy & hamdast allowed to both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION ST. NO. 1699/2017
(Dr. Suresh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. Subject to point of limitation, issue notices to the respondents in the present O.A., returnable on 5.1.2018.

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. Respondent is 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 question 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. Before filing any detailed affidavit in reply the concerned respondents are directed to go through the decisions of this Tribunal as well order passed by the Division Bench of Hon'ble Bombay High Court, Bench at Aurangabad in W.P. No. 3484/2005 and others dtd. 27.11.2008 (page 58 of the O.A.). Upon perusal of the said decisions corrective steps, if any, be taken by the concerned respondents and the report thereof be filed on the next date. In case for any other reasons, the respondents come to the conclusion that no corrective steps can be taken in the matter, then short affidavit explaining the reasons be filed on the next date.

8. S.O. to 5.1.2018.

9. Steno copy & hamdast allowed to both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 876/2016
(Anuradha V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

None appears for the applicant. Heard Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. The learned P.O. seeks time to comply with the earlier order 9.10.2017 of getting the report from the examiner. At her request S.O. to 10.1.2018 for submitting the report of the examiner.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**ORIGINAL APPLICATION NO. 249/2017
(Raja V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant submits that the grievance of the applicant is redressed and he wishes to withdraw the present O.A.

3. The learned P.O. submits that as per the order of the Tribunal dtd. 4.10.2017 a show cause notice has been issued to the concerned Officer/s, who is/are liable for negligence and regular action in the circumstances would be taken. He has filed on record a copy of the communication dtd. 16.11.2017 received to him to that effect along with annexures and the said documents are taken on record and marked as document 'X' collectively for the purpose of identification.

4. In view of above submissions of both the sides, nothing survives in the present O.A. for

further adjudication and therefore, the same stands disposed of without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**MA 480/2017 IN OA 497/2017
(Sayyad Abrar Husain V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri S.G. Magre, learned Advocate holding for Shri M.D. Godhamgaonkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The present M.A. has been filed by the applicant for leave to incorporate the para Nos. (xv-A) to (xv-C) and prayer clause (D-1) in the O.A. no. 497/2017.

3. Perused the M.A. Considered the contentions.

4. For the reasons stated in the M.A., it is allowed and disposed of without any order as to costs and the applicant is permitted to amend the O.A. suitably.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

O.A. NO. 497/2017
(Sayyad Abrar Husain V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri S.G. Magare, learned Advocate holding for Shri M.D. Godhamgaonkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Upon amendment in the O.A., issue notices to the respondents, returnable on 4.1.2018.

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. Respondent is 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 question 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 4.1.2018.

8. Steno copy & hamdast allowed to both the sides.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 622/2017
(Sagar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to
5.1.2018 for filing affidavit in reply of the
respondents. The interim relief granted earlier to
continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**ORIGINAL APPLICATION NO. 631/2017
(Dileep V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for respondents, is present.

2. It appears from the record that no steps are taken by the applicant for collecting the notices since 4.9.2017, though the O.A. was adjourned in absence of applicant and his learned Advocate to have sufficient opportunity. Therefore, present O.A. stands dismissed in default without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**ORIGINAL APPLICATION NO. 763/2013
(Manohar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant files
on record the copy of the final order dtd.
18.11.2017 in the departmental enquiry, which
would show that the present applicant's one
increment was stopped for temporary period.
The said document is taken on record and
marked as document 'X' for the purpose of
identification.

3. In view of conclusion of the D.E., the
concerned respondent i.e. res. no. 2 The Director
General & Inspector General of Police, M.S.,
Mumbai now can take a decision regarding grant
of promotion to the applicant as the said decision
was kept in abeyance by the then Departmental
Promotion Committee by applying the 'sealed
cover procedure'.

4. In the circumstances, the decision regarding promotion of the present applicant be taken by the concerned respondent on or before 2.1.2018 and the report, if any, in that regard be filed on that date.

5. S.O. to 2.1.2018.

6. Steno copy allowed for the use of learned P.O. for the respondents.

VICE CHAIRMAN

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

**MA 762/2017 WITH MA 139/2017 IN OA 136/2017
(Madhuri V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. The learned C.P.O. submits that a due procedure for finalization of Recruitment Rules is under process and it will take some more time therefor.

3. In view of above submission of learned C.P.O., S.O. to 28.2.2018. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**O.A. NOS. 319, 321, 322, 323, 324, 330, 332, 744 ALL OF 2013
WITH O.A. NOS. 634, 682 BOTH OF 2014 WITH O.A. NOS. 721, 722
BOTH OF 2015 AND O.A. NO. 340/2016**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

None appears for the applicants in all these matters. S/shri V.R. Bhumkar, N.U. Yadav, M.P. Gude, D.R. Patil, Smt. R.S. Deshmukh, Smt. Deepali S. Deshpande, learned Presenting Officers for the respective respondents in respective matters.

2. The submissions of the learned P.Os. as well as the decision of the Division Bench of Hon'ble Bombay High Court, Bench at Aurangabad in W.P. no. 12269/2015 and others dtd. 19.8.2016 would show that fresh decision on merit would be required in the present O.As.

3. In the circumstances, the present matter are removed from the board and the same be placed before the Division Bench as and when it is available.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**O.A. NO. 22/2015
(Mrs. Chhaya V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 28.11.2017.

ORAL ORDER :

None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondents, is present.

2. Though as per the order dtd. 30.10.2017 the Office has sent the notice to Shri R.K. Ashtekar, learned Advocate for the applicant to appear today before the Tribunal in the present matter, none appeared for the applicant.

3. From the record, it appears that the applicant has challenged initiation of departmental enquiry against him on various grounds. The interim relief was expressly rejected in the present matter.

4. In the circumstances, the learned P.O. is directed to take instructions from the concerned respondents as to what is the present stage of the said D.E. or whether it is already concluded as the present O.A. is filed by the applicant in the year 2015. In the circumstances, S.O. to 4.1.2018 for filing report by the learned P.O.

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

ARJ ORAL ORDERS 28-11-2017

VICE CHAIRMAN

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

**O.A. NO. 454/2015
(Shobha V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Shri D.K. Rajput, learned Advocate holding for Shri S.M. Avhad, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant has filed rejoinder. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The present matter be placed for hearing on 21.12.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**MA 480/2016 IN O.A. ST. NO. 1607/2016
(Mahadeo V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for respondents, is present.

2. The learned P.O. submits that the decision on the line of earlier order dtd. 13.10.2017 is awaited and he has received instructions from the concerned respondent that the said decision would be taken within a period of next 3 weeks. In the circumstances, S.O. to 4.1.2018 for making statement by the learned P.O.

VICE CHAIRMAN

ARJ ORAL ORDERS 28-11-2017

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

**ORIGINAL APPLICATION NO.647/2017
(Dr. Sonali Sayamber V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. In the present matter, applicant has been relieved on the basis of telephonic communication/order issued by the Director, Health Services and Civil Surgeon, Aurangabad without issuing a written transfer order.

3. Learned CPO has filed order dated 21-11-2017 issued by Civil Surgeon, Civil Hospital, Aurangabad terminating services of the applicant on the basis of letter issued by Director, Health Services, Mumbai dated 16-10-2017. It is taken on record and marked as document "X" for identification. Learned CPO has further submitted that since the services of the applicant have been terminated in view of the order dated

21-11-2017, the applicant has no *locus standi* to challenge the transfer order.

4. Learned Advocate of the applicant has submitted that no termination order has been issued and served on the applicant. He has submitted that Civil Surgeon has no authority to terminate services of the applicant and no order terminating services of the applicant has been issued by the Director, Health Services and it has not been served on the applicant till today. He has submitted that both Civil Surgeon and Director of Health Services have filed their separate affidavits in the present O.A. previously, but they have mentioned nothing about the termination order dated 16-10-2017 issued by the Director, Health Services, Mumbai. He has submitted that respondents have prepared false record in that regard.

5. On perusal of the record, it reveals that Civil Surgeon, Civil Hospital, Aurangabad, namely Shri Govardhan M. Gaikwad has filed his additional affidavit on 31-10-2017 and

Dr. Satish Pawar, Director, Health Services, Mumbai has filed his affidavit on 13-11-2017. Both these affidavits do not disclose anything about the order of termination issued by the Director, Health Services on 16-10-2017. The record made available by the Civil Surgeon to this Tribunal shows that the said order has been received to him on 16-10-2017 itself and it seems that inspite of knowledge of the said order, Civil Surgeon has not mentioned the said facts in his affidavit dated 13-11-2017. Not only this but Director, Health Services has also not mentioned about the said fact in his affidavit filed on 31-10-2017.

6. It is evident that both Civil Surgeon, Civil Hospital, Aurangabad and Director, Health Services, Mumbai, have suppressed the material facts and had not disclosed those facts in their affidavits. It means that they have suppressed the said fact or might have fabricated the record and documents to suit their purpose. Hence, issue show cause notice to them to show cause as to why appropriate action shall not be

initiated against them for fabricating the record and making false and misleading statement on oath before the Tribunal.

7. S.O. to 07-12-2017.

YUK ORAL ORDER 28-11-2017 F

MEMBER (J)

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

**M.A.No.60/2017 IN O.A.St.No.184/2017
(Shri Sheshrao Bhalerao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate holding for Shri P.G.Rodge learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to file amendment application. Time granted.

3. S.O. to 19-12-2017.

MEMBER (J)

YUK ORAL ORDER 28-11-2017 F

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

**M.A.No.168/2017 IN O.A.St.No.404/2017
(Shri Mariba Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 02-01-2018.

MEMBER (J)

YUK ORAL ORDER 28-11-2017 F

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

**M.A.No.329/2017 IN O.A.St.No.994/2017
(Shri Narayan Shete V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Smt. Suchita Dhongde learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 02-01-2018.

MEMBER (J)

YUK ORAL ORDER 28-11-2017 F

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

**M.A.No.333/2017 IN O.A.St.No.1192/2017
(Shri Mahadev Gulmire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Smt. Suchita Dhongde learned Advocate for the applicant, Smt. Deepali Deshpande learned Presenting Officer for respondents and Shri A.D.Gadekar learned Advocate for respondent no.5.

2. Learned P.O. as well as learned Advocate for respondent no.5 sought time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 02-01-2018.

MEMBER (J)

YUK ORAL ORDER 28-11-2017 F

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

**M.A.No.432/2017 IN O.A.St.No.1532/2017
(Satilal Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 02-01-2018.

YUK ORAL ORDER 28-11-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.762/2016
(Shri Nakul Mhaske V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. Communication dated 27-11-2017 filed by the learned P.O. is taken on record. Learned P.O. seeks time to take final decision in the matters of departmental enquiry. Accordingly, time of one month is granted to comply the order dated 23-08-2017.

3. S.O. to 11-01-2018 for compliance as mentioned above.

MEMBER (J)

YUK ORAL ORDER 28-11-2017 F

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

**ORIGINAL APPLICATION NO.217/2016
(Tanuja Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Ms. Ujjwal Agarwal learned Advocate for the applicant, Mrs. Sanjivani Ghate learned Presenting Officer for respondents and Mr. A.I.Deshmukh learned Advocate for respondent no.4.

2. Learned P.O. seeks time produce original record regarding birth register of village Mangrul and to file a short affidavit of Village Development Officer on the next date.

3. S.O. to 03-01-2018.

MEMBER (J)

YUK ORAL ORDER 28-11-2017 F

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

**ORIGINAL APPLICATION NO.577/2016
(Dr. Baban Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents. Shri H.P.Jadhav learned Advocate for respondent no.4 is **absent**.

2. At the request of learned Advocate of the applicant, S.O. to 20-12-2017.

MEMBER (J)

YUK ORAL ORDER 28-11-2017 F

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

**ORIGINAL APPLICATION NO.766/2016
(Shri Rambhau Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. At the request of learned Advocate of the applicant, S.O. 12-12-2017.

YUK ORAL ORDER 28-11-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.896/2016
(Shri Sheshrao Anchule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Shri S.B.Talekar learned Advocate for the applicant is **absent**. Shri M.P.Gude learned Presenting Officer for respondents is present.

2. Since none is present for the applicant, S.O. to 19-12-2017.

YUK ORAL ORDER 28-11-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.33/2017
(Shri Bharat Kharat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri S.K.Shirse learned Presenting Officer for respondents and Shri O.D.Mane learned Advocate for respondent nos.2 and 3.

2. At the request of learned P.O., S.O. to 15-12-2017.

YUK ORAL ORDER 28-11-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.366/2017
(Shri Kumar Hambirrao Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents. Shri D.T.Devane learned Advocate for respondent nos.2 and 3 is **absent**.

2. Learned Advocate for the applicant has taken circulation of the matter. Learned Advocate of the applicant has submitted that she has received communication from the applicant dated 23-11-2017 for withdrawal of the O.A., which is produced on record and marked as document "X" for identification.

3. Learned Advocate of the applicant has submitted that since the applicant does not wish to proceed with the case and wants to withdraw the O.A., O.A. may be disposed of as withdrawn.

4. Learned P.O. states that he has no objection for the same.

5. Since the applicant does not wish to prosecute the O.A., it stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION ST. NO. 1758 OF 2017
(Dr. Karuna G. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. The applicant is directed to comply with the office objection/s and then prefer circulation. Remove from the board. Liberty is granted to the applicant to circulate the present case.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 134 OF 2017
(Shri Babbishan B. Surwase V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Shri Rajeev B. Deshmukh, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer, S.O. to 11th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 328 OF 2016
(Shri Kalidas N. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri G.J. Kore, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned Presenting Officer prays for time to file short affidavit. Time granted.

3. S.O. to 5th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 849 OF 2016
(Shri Ratnakar T. Kahat V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

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

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**M.A.476/2017 IN O.A.ST.NO. 1738/2017
(Shri Maruti S. Tambe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. This is an application filed by the applicant for condonation of delay of about 6 years and 2 months caused in filing the accompanying Original Application St. No. 1738/2017.

3. Issue notices to the respondents in M.A. No. 476/2017, returnable on 15th January, 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 M.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) 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. The respondents shall file affidavit in reply on or before the next date.

9. S.O. to 15th January, 2018.

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

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**M.A.477/2017 IN O.A.ST.NO. 1736/2017
(Shri Dagdu B. Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. This is an application filed by the applicant for condonation of delay of about 5 years and 11 months caused in filing the accompanying Original Application St. No. 1736/2017.

3. Issue notices to the respondents in M.A. No. 477/2017, returnable on 15th January, 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 M.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) 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. The respondents shall file affidavit in reply on or before the next date.

9. S.O. to 15th January, 2018.

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

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**M.A.478/2017 IN O.A.ST.NO. 1740/2017
(Shri Bhimrao S. Ingle V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. This is an application filed by the applicant for condonation of delay of about 6 years and 8 months caused in filing the accompanying Original Application St. No. 1740/2017.

3. Issue notices to the respondents in M.A. No. 478/2017, returnable on 15th January, 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 M.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) 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. The respondents shall file affidavit in reply on or before the next date.

9. S.O. to 15th January, 2018.

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

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**M.A.479/2017 IN O.A.ST.NO. 1742/2017
(Smt. Gunabai M. Pethe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. This is an application filed by the applicant for condonation of delay of about 1 years and 9 months caused in filing the accompanying Original Application St. No. 1742/2017.

3. Issue notices to the respondents in M.A. No. 479/2017, returnable on 15th January, 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 M.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) 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. The respondents shall file affidavit in reply on or before the next date.

9. S.O. to 15th January, 2018.

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

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 373 OF 2016
(Shri Anant K. Rankahmbe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri R.M. Jade, learned Advocate holding for Shri G.G. Suryawanshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 to 3, **present**. Shri V.H. Solunke, learned Advocate for respondent No. 4 (**absent**).

2. At the request of learned Presenting Officer for respondent Nos. 1 to 3, S.O. to 11th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 573 OF 2017
(Shri Mukesh K. Gunjal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O.to 6th December, 2017.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 331 OF 2017
(Dr. Mukesh L. Mote V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Learned Advocate for the respondent No. 4 has filed affidavit in reply on his behalf and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Presenting Officer for respondent Nos. 1 to 3 prays for time for filing affidavit in reply. Time granted.

4. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 332 OF 2017
(Dr. Anil S. Biradar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Learned Advocate for the respondent No. 4 has filed affidavit in reply on his behalf and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Presenting Officer for respondent Nos. 1 to 3 prays for time for filing affidavit in reply. Time granted.

4. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 333 OF 2017
(Dr. Sheetal A. Soni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Learned Advocate for the respondent No. 4 has filed affidavit in reply on his behalf and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Presenting Officer for respondent Nos. 1 to 3 prays for time for filing affidavit in reply. Time granted.

4. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 334 OF 2017
(Dr. Anant V. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. Learned Presenting Officer for respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 335 OF 2017
(Dr. Ganpati H. Wadekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent No. 4.

2. Learned Presenting Officer for respondent Nos. 1 to 3 prays for time for filing affidavit in reply. Time granted.

3. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 336 OF 2017
(Dr. Yogesh V. Solanke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Learned Advocate for the respondent No. 4 has filed affidavit in reply on his behalf and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Presenting Officer for respondent Nos. 1 to 3 prays for time for filing affidavit in reply. Time granted.

4. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 337 OF 2017
(Dr. Ravindra G. Bhalerao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent No. 4.

2. Learned Presenting Officer for respondent Nos. 1 to 3 prays for time for filing affidavit in reply. Time granted.

3. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 338 OF 2017
(Dr. Govind K. Reddy V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Presenting Officer for the respondent Nos. 1 to 3. None appears for respondent No. 4.

2. Learned Presenting Officer for respondent Nos. 1 to 3 prays for time for filing affidavit in reply. Time granted.

3. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 349 OF 2017
(Dr. Ashok P. Waghmare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri A.D. Aghav, learned Advocate for respondent No. 4.

2. Learned Advocate for the respondent No. 4 has filed affidavit in reply on his behalf and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Presenting Officer for respondent Nos. 1 to 3 prays for time for filing affidavit in reply. Time granted.

4. S.O. to 15th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 414 OF 2017
(Dr. Vitthal N. Tidke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. It reveals from the proceedings that the separate affidavit in replies have already been filed on behalf of respondent Nos. 3, 4 & 5. It further reveals that the respondent Nos. 1 & 2 have not filed affidavit in reply though sufficient opportunities were granted to them.

3. In that view of the matter, heard both the sides at length and closed for orders

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 413 OF 2017
(Shri Suresh P. Hatgale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. On instructions, the learned Advocate for the applicant has submitted that the impugned transfer order dated 31.05.2017 (Exh. 'A-1' page-10) has been cancelled by the respondents to the extent of applicant only and the applicant has been posted at Zari, Taluka & District Parbhani as per his request. The applicant has joined the new post. Learned Advocate for the applicant has further submitted that now the applicant has no grievance and, therefore, the applicant does not want to proceed with the present Original Application and prayed to dispose of the same.

3. Learned Presenting Officer has submitted that the necessary orders may be passed.

4. In view of the submissions made on behalf of both the sides and since the applicant does not want to proceeding with the present Original Application in view of cancellation of the earlier

transfer order and new posting as per his request, the present Original Application stands disposed of with no order as to costs.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 475 OF 2017
(Shri Chandrakant S. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. Learned Chief Presenting Officer has filed a copy of Circular dated 29th March, 2011 and the same has been taken on record and marked as document 'X' for identification purpose.

3. Heard both the sides at length and closed for orders.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 476 OF 2017
(Shri Balasaheb M. Ghadge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. The learned Chief Presenting Officer prays for time to file affidavit in reply. Time granted.

3. S.O. to 16th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 477 OF 2017
(Shri Ayub Latif Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Shri Sanjay A. Wakure, learned Advocate for the applicant (**absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, present.

2. The learned Presenting Officer prays for time to file affidavit in reply. Time granted.

3. S.O. to 16th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 478 OF 2017
(Shri Bhagwant G. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Shri Sanjay A. Wakure, learned Advocate for the applicant (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, present.

2. The learned Presenting Officer prays for time to file affidavit in reply. Time granted.

3. S.O. to 16th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 485 OF 2017
(Shri Sarang B. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

Shri Sanjay A. Wakure, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. The learned Presenting Officer prays for time to file affidavit in reply. Time granted.

3. S.O. to 16th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 527 OF 2017
(Shri Shahadeo S. Bangar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 28.11.2017.

ORAL ORDER :

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

2. The learned Presenting Officer prays for time to file affidavit in reply. Time granted.

3. S.O. to 16th January, 2018.

MEMBER (J)

ORAL ORDERS 28.11.2017-HDD