

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

**ORIGINAL APPLICATION NO. 345/2016.
(Shri A. M. Kale 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 : 13.09.2017.

ORAL ORDER :

Heard Shri V. G. Pingle, learned Advocate for the applicant, Shri N. U. Yadav, learned Presenting Officer for respondents no.1 to 3 and Shri S. B. Patil learned Advocate for the respondent no.4.

2. The learned P.O. seeks time to file reply. At his request S.O. to 3.10.2017 for filing affidavit in reply.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.496/2017.
(Smt V. S. Chavan 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 : 13.09.2017.

ORAL ORDER :

None present for the applicant. Shri M. S. Mahajan, learned Chief Presenting Officer for respondents.

2. In view of absence of the learned Advocate for the applicant, S.O. to 4.10.2017 for hearing on admission.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**MA NO.290/17 IN OA ST.816/17.
(Shri K. A. Yalis (Patil) 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 : 13.09.2017.

ORAL ORDER :

None present for the applicant. Shri M. S. Mahajan, learned Chief Presenting Officer for respondents is present.

2. The learned C.P.O. seeks time to file reply. At his request, S.O. to 10.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.480/2017.
(Shri D. B. Sonawane & Ors. 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 : 13.09.2017.

ORAL ORDER :

None present for the applicants. Smt P. R.
Bharaswadkar, learned Presenting Officer for
respondents is present.

2. The learned P.O. seeks time to file affidavit.

At her request, S.O. to 9.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

FARAD CONTINUATION SHEET

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO.534/2014.
(Shri M. S. Ingale 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 : 13.09.2017.

ORAL ORDER :

Heard Shri A. S. Deshmukh, learned Advocate for the applicant and Shri N. U. Yadav, learned Presenting Officer for respondents.

2. Upon hearing it appears that, decision on merit by the Division Bench would be required. Remove from the board. Be placed as and when the Division Bench would be available.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.703/2011.
(Dr. R. M. Lahurikar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

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

2. The learned P.O. files on record the copy of the G.R. dated 12.9.2017 issued by the State of Maharashtra considering the compliance of the present order in O.A. The same is taken on record and marked as document "X" for the purpose of identification.

3. In view of the said submission and copy of the G.R. nothing survives in the present Original Application. Accordingly the same is disposed of without any order as to costs.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.83/2017.
(Shri Sayyed Jarrinabi 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 : 13.09.2017.

ORAL ORDER :

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

2. At the request of the learned Advocate for
the applicant, S.O. to 31.10.2017 for hearing on
admission.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

ORIGINAL APPLICATION NO. 114/2017.

(Marathwada Sarva Shramik Sanghatana & Ors. 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 : 13.09.2017.

ORAL ORDER :

Heard Shri G. R. Jadhav learned Advocate holding for Shri A. S. Shelke , learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for respondents.

2. Shri G. R. Jadhav learned Advocate holding for Shri A. S. Shelke , learned Advocate for the applicant seeks time. At his request, S.O. to 9.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**MA NO.36717 IN OA St.1369/17.
(Shri S. M. Sakhare & Ors. 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 : 13.09.2017.

ORAL ORDER :

1. Heard Shri S. S. Thombre, learned Advocate for the applicants and Shri M. S. Mahajan, learned Chief Presenting Officer for respondents.

2. 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, and accompanying O.A. be registered and numbered, and present M.A. stands disposed of accordingly. No order as to costs.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

OA St.1369/17.

(Shri S. M. Sakhare & Ors. 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 : 13.09.2017.

ORAL ORDER :

1. Heard Shri S. S. Thombre, learned Advocate for the applicants and Shri M. S. Mahajan, learned Chief Presenting Officer for respondents.

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

"D. Pending the hearing and final disposal of this Original application, the effect, execution and implementation of the impugned order dated 6.9.2017 may kindly be stayed."

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

4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along

with complete paper book of 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 04.10.2017.

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

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.739/2016.
(Shri D. B. Mukhade 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 : 13.09.2017.

ORAL ORDER :

Heard Shri S. P. Dhobale learned Advocate holding for Shri A. V. Patil, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to file rejoinder vide order dated 10.7.2017 certain queries were raised and therefore the learned Advocate for the applicant sought time for filing rejoinder.

3. Already many chances are granted. However, in the interest of justice time to file rejoinder is hereby granted till 4.10.2017 to satisfy the queries raised by this Tribunal and for filing rejoinder.

4. S.O. to 4.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**OA Nos.47, 84 & 281 of 2017.
(Shri A. B. Patil & 2 Oths. 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 : 13.09.2017.

ORAL ORDER :

Heard Shri A. S. Deshmukh, learned Advocate for the applicant in OA No.47/17. Shri V. B. Dhage learned Advocate for the applicants in OA Nos.84 & 281 of 2017 (Absent). Smt P. R. Bharaswadkar, learned Presenting Officer for respective respondents in all the matters is present.

2. Shri A. S. Deshmukh, learned Advocate for the applicant submits that, he will have to take instructions as to whether the applicant has appeared before Respondent no.2 on 4.7.2017 at 11.30 a.m. as directed by this Tribunal vide order dated 22.6.2017. At his request, S.O. to 18.09.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**MA NO.198/2017 IN OA ST.624/2017.
(Shri S. M. Pakhale 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 : 13.09.2017.

ORAL ORDER :

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

2. Considering the fact that, the present applicant is praying for setting aside the order of his discharge from the services and finding that, delay of 333 days has occurred in filing the accompanying original application for the reasons stated in the present M.A. is condoned.

3. The Office to register the original application after due scrutiny.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

OA ST.624/2017.

(Shri S. M. Pakhale 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 : 13.09.2017.

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 12.10.2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 12.10.2017.

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

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.431/2017.
(Shri V. M. Talegaonkar 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 : 13.09.2017.

ORAL ORDER :

Heard Shri J. B. Choudhary, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant seeks time to satisfy the query of the Tribunal as to whether the D.E. can be challenged and or full pension can be claimed pending D.E. At his request, S.O. to 19.09.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

ORIGINAL APPLICATION NO.483/2017.

(Dr. Shivaji D. Birare 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 : 13.09.2017.

ORAL ORDER :

1. Heard Shri J. B. Choudhary, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.
2. Issue notice to the Respondents, returnable on 05.10.2017.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 the regular affidavit the Respondents are directed to read copies of the decision rendered by this Tribunal as well as Hon'ble the Supreme Court of India copies of which are annexed with the present application and to examine as to whether the corrective steps can be taken in the light of those decisions. If the respondents comes to the conclusion that, the corrective steps can be taken, those steps be taken and report abo mut the same be filed on the next date. In case respondents comes to the conclusion that corrective steps cannot be taken

then short affidavit explaining the reasons be filed on the next date.

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

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

OA NO.259/2016.

(Shri R. M. Shete 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 : 13.09.2017.

ORAL ORDER :

Heard Shri S. T. Veer, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for respondents.

2. Upon hearing both sides it appears that, the clarification from the side of the respondents is required. Annexure A-7, page no.48 show that, total 154 posts of Civil Engineering Assistants were to be filled in (page no.49). The list of the selected candidates annexed thereto however, would show that, only 131 candidates were selected. The concerned respondent is therefore, directed to give the clarification regarding the said fact by filing additional short affidavit supported by minutes of the Selection Committee, if any.

3. S.O. to 04.10.2017.

4. The learned P.O. is hereby directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**MA ST.NO.1103/2017 IN OA NO.259/2016.
(Shri R. M. Shete 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 : 13.09.2017.

ORAL ORDER :

Heard Shri S. T. Veer, learned Advocate for the applicant and Smt R. S. Deshmukh, learned Presenting Officer for respondents.

2. The learned P.O. waives notice upon restoration.

3. For the reasons stated in the Misc. Application the same stands allowed and the accompanying O.A. be restored to its original file. Accordingly, the present M.A. stands disposed of without any order as to costs.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.167/2014.
(Shri A. S. Salunke & Ors. 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 : 13.09.2017.

ORAL ORDER :

Heard with consent Shri V. L. Dhoble, learned Advocate for the applicants and Shri I. S. Thorat, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant files an affidavit on behalf of the applicants. The same is taken on record. He submits that, In view of G.R. dated 13.3.2015 and in view of the subsequent events nothing survives in the present application. He therefore seeks to dispose of the O.A. Accordingly the original application stands disposed of without any order as to costs.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.82/2017.
(Shri Shaikh Rabbani 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 : 13.09.2017.

ORAL ORDER :

Heard Miss Ashlesha Raut learned Advocate holding for Shri S. B. Talekar, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for respondents.

2. At the request of the learned P.O. as a last chance time to file reply is hereby granted on the condition that, in case the reply is not filed on the next date the Tribunal would be constrained to take such coercive action as may be deemed fit. In the circumstances, S.O. to 05.10.2010.

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

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.173/2017.
(Shri M. 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 : 13.09.2017.

ORAL ORDER :

None present for the applicant. Smt P. R. Bharaswadkar, learned Presenting Officer for respondents is present.

2. The record would show that, since the filing of the application on 16.3.2017 no steps are taken for collecting the notices in spite of grant of 7 chances. In the circumstances, the application is dismissed in default.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.690/2013.
(Shri V. G. Salunke 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 : 13.09.2017.

ORAL ORDER :

Heard Shri M. R. Kulkarni, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The learned P.O. seeks time to file reply. At his request S.O. to 9.10.2017 as a last chance for filing the affidavit in reply.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.256/2017.
(Shri R. R. Londhe 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 : 13.09.2017.

ORAL ORDER :

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

2. The learned P.O. files affidavit in reply of all the respondents. The same is accepted. Its copy is served on the learned Advocate for the applicant.

3. The arguable case is made out.

4. Admit.

5. Learned P.O. waives the notice for the respondents upon admission hearing.

6. Remove from Board. Be placed for final hearing as and when the Division Bench would be available.

7. In the meantime liberty to file rejoinder if required is hereby granted.

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**ORIGINAL APPLICATION NO.
(Shri 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 : 13.09.2017.

ORAL ORDER :

Heard S , learned Advocate for the
applicant and S , learned Presenting Officer for
respondents.

2. S.O. to

VICE CHAIRMAN.

ATP ORAL ORDERS 13-09-2017

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

**M.A.No.360/2017 IN O.A.St.No.1264/2017
(Shri Sitaram Bhokare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri S.G.Kulkarni learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.

2. Issue notice to the respondents in the M.A., returnable on 10-10-2017.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O.to 10-10-2017.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

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

**ORIGINAL APPLICATION ST. NO.1249/2017
(Shri Samadhan Bari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri S.R.Shirsat learned Advocate holding for Shri Manoj Shinde learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 20-09-2017.

YUK ORAL ORDER 13-09-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.22/2017
(Shri Pradeep Kale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant prays
for time for filing affidavit in rejoinder. Time
granted.

3. S.O. to 03-10-2017.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.193/2017
(Shri Dnyaneshwar Sanap & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri Vivek Pingle learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 16-10-2017 for final hearing.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.425/2017
(Shri P.F.Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri P.D.Deshmukh learned Advocate holding for Dr. Swapnil Tawshikar learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. At the request of learned P.O., S.O. 10-10-2017 for filing affidavit in reply on behalf of the respondents.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.501/2017
(Shri D.B.Mahale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri J.B.Choudhary learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents. Shri V.S.Choudhary learned Advocate for respondent no.4 is **absent**.

2. At the request of learned Advocate for the applicant, S.O. to 13-10-2017.

YUK ORAL ORDER 13-09-2017 F

MEMBER (J)

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

**M.A.No.304/2017 IN O.A.No.718/2016
(Shri Ashok Bari & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 16-10-2017.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.155/2016
(Dr. Jaisinh Veer V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents. Shri S.N.Rodge learned Advocate for respondent no.5 and 6 is **absent**.

2. Learned Advocate for the applicant prays that this O.A. may be tagged with the group of O.A.No.544/2016 & Ors. as the similar issue is involved. Since the issue involved is similar, this case may be tagged with O.A.No.544/2016 & Ors., which are posted on 11-10-2017.

3. Learned Advocate for the applicant has submitted that similarly situated persons had filed cases before the Tribunal claiming same relief and the Division Bench as well as the Single Bench of the Tribunal have time and again held that pay scale granted to the applicants in the pay of Rs.8000-13500 under 5th Pay Commission was proper and pay scale granted in view of recommendations of 6th Pay Commission

i.e. Rs.9300-34800 and Grade Pay-5400 was made applicable to the Medical Officers who have been absorbed in Group "B" post under Public Health Department. He has submitted that since the Tribunal has decided the issue in the matter, on the basis of said decision, necessary orders may be passed in this matter.

4. Learned P.O. as well as the learned Advocate for the respondents have submitted that the applicant has not made any representation on the basis of decisions rendered by the Tribunal to reconsider his cases. They have submitted that if the applicant makes such application/representation they will consider the same on merit in view of the decisions of the Tribunal in 3 weeks from the date of receipt of his representations.

5. Learned Advocate for the applicant submits that applicant is ready to file representation/s, if not already filed, within one week from the date of this order and he has no objection if directions are given to the respondents to decide the representations of the applicant within 3 weeks from the date of its receipt.

6. In view of the submissions of learned Advocate for the applicant and the respondents, the applicant is directed to make fresh representation to the respondents, if not made

earlier, on the basis of earlier decision/s delivered by this Tribunal. On receipt of representation from the applicant, respondents to take proper decision within 3 weeks.

7. S.O. to 11-10-2017 for reporting compliance and taking decision in the matter.

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

**ORIGINAL APPLICATION NO.126/2017
(Shri Arjun Rakshe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

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

2. Learned P.O. seeks time to argue the matter
finally. Time granted.

3. S.O. to 06-10-2017.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.240/2016
(Shri Ramkisan Khajekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri R.P.Bhumkar learned Advocate
for the applicant and Shri N.U.Yadav learned
Presenting Officer for respondents.

2. At the request of learned Advocate for the
applicant, S.O. to 27-09-2017.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.824/2016
(Dr. Asha Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri R.D.Khadap learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents. Shri P.P.More learned Advocate for respondent nos.4 and 5 is **absent.**

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 06-10-2017 for filing affidavit in rejoinder, if necessary.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.939/2016
(Shri Rajendra Salvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri Prafull Bodade learned Advocate holding Shri J.B.Choudhary learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

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

3. S.O. to 10-10-2017.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.43/2017
(Shri Nanasaheb Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Shri V.G.Salgare learned Advocate for the applicant is **absent**. Smt. Resha Deshmukh learned Presenting Officer for respondents is present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time granted as a most last chance.

3. S.O. to 09-10-2017.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.57/2017
(Shri Kiran Mashale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Shri S.S.Panale/S.S.Dambe learned Advocate for the applicant is **absent**. Shri M.P.Gude learned Presenting Officer for respondents is present.

2. At the request of learned P.O., S.O. to 14-09-2017 for filing affidavit in reply on behalf of the respondents.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.157/2017
(Shri Dadasaheb Satdive V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri A.D.Gadekar learned Advocate holding for Shri Kakasaheb Jadhav learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply on behalf of the respondent nos.3 and 4. Time granted as a most last chance.

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

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.247/2017
(Dr. Mahmud Fazlul Haq V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Ms. A.N.Ansari learned Advocate for the applicant is **absent**. Mrs. Priya Bharaswadkar learned Presenting Officer for respondents is present. None appears for respondent no.7.

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

3. S.O. to 16-10-2017.

MEMBER (J)

YUK ORAL ORDER 13-09-2017 F

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

**ORIGINAL APPLICATION NO.252/2017
(Shri Akbar Hussain Md. Iftekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri M.S.Taur learned Advocate holding for Shri A.N.Kakde learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Learned P.O. files separate affidavits in reply on behalf of respondent nos.2 and 3. Those are taken on record. Copies thereof have been served on the other side.

3. Learned Advocate for the applicant has submitted that father of the applicant, namely Md. Iftekar Hussain was serving as Clerk in the office of respondent no.3. He died on 04-10-2017 when he was in service. After his death, mother of the applicant, namely Shahajadi Begum filed application with the respondent no.3 for getting appointment on compassionate ground. Accordingly, her name was entered in the waiting

list at Sr. No.27. Thereafter, she filed application dated 23-01-2015 to the respondent no.3 and requested to give appointment to the applicant as she is unable to do work due to old age and ill-health. He has submitted that said representation of the applicant's mother has not been decided by the respondents till today. Therefore, he approached the Tribunal seeking direction to the respondents to decide the application dated 23-01-2015 filed by his mother.

4. Learned P.O. has submitted that there is no provision to substitute name of another heir of the deceased once name of one of the heirs is entered in waiting list. She has submitted that name of mother of the applicant has been entered in the waiting list of the candidates eligible to be appointed on compassionate ground. She has admitted the fact that application dated 23-01-2015 filed by the mother of the applicant is still pending and the respondent no.3 has not decided it.

5. On considering the submissions advanced on behalf of both the parties, it is crystal clear that name of the mother of the applicant has been entered in the waiting list for appointment on compassionate ground. Her name is at Sr. No.27 of the waiting list. The applicant has moved an application dated 23-01-2015 with the respondent no.3 Executive Engineer with a request to enter name of her son in her place as she is unable to do the work due to her ill-health and old age. Said application is not yet decided by the respondents. Therefore, it is just and proper to direct the respondent no.3 to decide the application dated 23-01-2015 filed by the applicant's mother, viz. Shahajadi Begum on merit as per rules within 2 months from the date of this order. Accordingly, O.A. stands disposed of with these directions. No order as to costs.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 248 OF 2017
(Shri Milind N. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant has filed withdrawal pursis signed by the applicant along with order dated 31st May, 2017 issued by respondent No. 2 i.e. the Joint Director, Technical Education, Aurangabad Division, Aurangabad and the same is taken on record and marked as document 'X' for the purposes of identification.

3. Learned Advocate for the applicant submits that the applicant does not want to proceed with the Original Application as his request for transfer has been considered by the respondents in the general transfers of the year 2017. Therefore, he wants to withdraw the Original Application unconditionally.

4. In view of the withdrawal pursis filed by the applicant and in view of the submissions made

by the learned Advocate for the applicant, the present Original Application is disposed of as withdrawn without any order as to costs.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 301 OF 2017
(Dr. Seema Pralhadrao Panad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 & 2. Shri B.S. Munde – learned Advocate for respondent No. 3 (**absent**).

2. The learned Advocate for the applicant has submitted that the applicant wants to challenge the Government Resolutions dated 30th September, 2016 and 20th April, 2017 and, therefore, he wants to amend the present Original Application. He sought leave of this Tribunal to amend the Original Application.

3. Leave to amend the Original Application is granted.

4. Learned Advocate for the applicant undertakes to amend the Original Application within a period of one week.

5. S.O. to 20th September, 2017.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 324 OF 2017
(Dr. Vilas Eknathrao Vikhe Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri Vijay Deshmukh, learned Advocate holding for Shri Gajanan Kadam, learned Advocate for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 to 4 and Shri S.R. Dheple – learned Advocate for respondent Nos. 5 & 6. None appears for respondent No. 7.

2. Learned Advocate Shri Jayant S. Deshmukh has appeared today and submitted that he is appearing on behalf of respondent No. 8 and he has filed **VAKALATNAMA** on his behalf and the same is taken on record.

3. Learned Presenting Officer prays for time for filing affidavit in reply on behalf of respondent Nos. 1 to 4. Time granted.

4. S.O. to 28th September, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 371 OF 2017
(Shri Vasant Gokul Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting prays for time to take instructions from the respondents as regards Constitution of the Police Establishment Board, Dhule. Time granted.

3. S.O. to 28th September, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 385 OF 2017
(Shri Chandulal Barku Sathe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Ms. P.R. Wankhade, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 to 3. None appears for respondent No. 4.

2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Advocate for the applicant submits that she wants to go through the affidavit in reply filed on behalf of respondent Nos. 1 to 3 and prays for time. Time granted.

4. S.O. to 29th September, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**M.A.NO. 76/2017 IN O.A.ST.NO. 252/2017
(Shri Subhash Devrao Thale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Shri V.G. Salgare, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. It transpires from the proceedings that nobody appeared on behalf of the applicant on the last 5 occasions i.e. on 21.02.2017, 21.03.2017, 19.04.2017, 21.06.2017 & 27.07.2047. However, today also nobody appears for the applicant.

3. In view of the above, S.O. to 29th September, 2017 for appearance on behalf of the applicant / passing necessary orders.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 470 OF 2017
(Shri Shailesh U. Gomsale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

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

2. Learned Presenting Officer prays for time for filing affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 4th October, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 15 OF 2017
(Shri Subhash M. Sonwane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 6 and the same is taken on record.

3. S.O. to 13th October, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**M.A.NO. 55/2017 IN O.A.ST.NO. 167/2017
(Shri Abhimanyu S. Kalyan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri Kalyan V. Patil, learned Advocate holding for Shri S.R. Barlinge, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the present M.A. as well as, accompanying O.A.

3. Leave is granted.

4. Learned Advocate for the applicant submits that he will carry out the necessary amendment in the present M.A. as well as in the accompanying O.A. forthwith.

5. S.O. to 10th October, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**M.A.NO. 281/2017 IN O.A.ST.NO. 131/2017
(Shri Shaikh Khudbuddin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, 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 13th October, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 460 OF 2017
(Survana Bhikan Ghodke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri S.R. Dheple, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant prays for time for filing affidavit in rejoinder. Time granted.

3. S.O. to 28th September, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for respondent No. 1 and Shri O.D. Mane – learned Advocate for respondent Nos. 2 & 3.

2. At the request of learned Advocate for respondent Nos. 2 & 3, S.O. to 16th October, 2017.

MEMBER (J)

ORAL ORDERS 13-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 399 OF 2017
(Dr. Pritam T. Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 13.09.2017.

ORAL ORDER :

Heard Shri H.I. Pathan, learned Advocate holding for Shri P.P. Dama, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 to 4 and Shri S.N. Rodge – learned Advocate for respondent Nos. 5 & 6.

2. Learned Advocate for the applicant has submitted that the applicant has challenged the impugned order dated 31.05.2017 issued by respondent No. 1 viz. the Principal Secretary, Public Health Department, M.S. Mantralaya, Mumbai, thereby transferring the applicant from the post of Medical Officer, Group 'A', Primary Health Center Ujani to Troma Care Unit Degloor, District Nanded on administrative ground without considering his request to accommodate him on the ground of couple arrangement.

3. Learned Advocate for the applicant has submitted that after filing the present Original Application, the applicant has filed another representation dated 14.08.2017 before the

respondent authorities requesting them to consider his request and to give him convenient posting considering the policy of the Government of couple arrangement in view of the Government Resolution dated 27.11.1997. He has submitted that the request of other Medical Officers had been considered by the respondents in view of the said G.R.

4. On instructions, learned Advocate for the applicant submits that the applicant wants to withdraw the present Original Application since the representation filed by the applicant is under consideration of the respondents and, therefore, he prayed to direct the respondents to decide the representation dated 14.08.2017 as per its own merits and rules within a stipulated time.

5. Learned Presenting Officer for the respondent Nos. 1 to 4 has submitted that the necessary orders may be passed in view of the submissions made by the learned Advocate for the applicant.

6. Since the applicant does not want to proceed with the Original Application, the same is disposed of with a direction to the respondent Nos. 1 to 3 to decide the representation filed by the applicant dated 14.08.2017 within a period of two months from the date of this order on its own merits and as per the rules.

There shall be no order as to costs.

MEMBER (J)
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