

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 263/2017
(Shri Bhaskar D. Meshram V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 1. Time granted as a last chance.

3. S.O. to 09.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 768/2017
(Shri Rajan A. Landge & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Smt. S.A. Dhongde, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent No. 1 and Shri A.D. Gadekar, learned Advocate for respondent Nos. 2 to 4.

2. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted as a last chance.

3. S.O. to 09.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 586/2017
(Shri Sk Fasiuddin Md Gowsoddin V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri Naseem R. Sk, 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 service affidavit of respondent No. 1. Time granted.

3. S.O. to 06.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION ST. NO. 236/2018
(Shri Bhagwan J. Wagh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri M.K. Deshpande, 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 05.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 223/2017
(Shri Vinayak U. Banchod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 807/2016
(Shri Madhukar N. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 & 3 and Shri A.D. Gadekar, learned Advocate for respondent No. 2.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 03.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 808/2016
(Shri Gangadhar A. Kakade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent Nos. 1 & 3 and Shri A.D. Gadekar, learned Advocate for respondent No. 2.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 03.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 810/2016
(Shri Babu D. Ghute V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 03.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 29/2017
(Shri Shankar D. Chaudhari V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1, 2 & 4 and Shri S.D. Dhongde, learned Advocate for respondent No. 3.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 03.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 04/2018
(Shri Babu D. Ghute V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri Shamsundar B. Patil, learned Advocate for respondent No. 1.

2. Pleadings are complete. The O.A. is admitted and it be kept for final hearing on 03.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 263/2018
(Shri Baban D. Dolzake V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 09.07.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Reply be filed on or before 09-07-2018.

9. S.O. 09-07-2018.

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

MEMBER (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 318/2018
(Shri Vilas D. Bhingde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri S.N. Janakwade, learned Advocate holding for Shri N.B. Jadhav, 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 07.06.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO. 354/2017
(Shri Devendra T. Katke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Today, the learned Advocate for the applicant has placed on record a copy of the order dated 10.05.2018 by which the order of suspension of the applicant has been revoked and he has been reinstated at Aurangabad. Same is taken on record and marked as document 'X' for the purposes of identification.

3. Learned Advocate for the applicant has submitted that in view of the order dated 10.05.2018, the applicant does not want to proceed with the present O.A. and therefore, he prayed to dispose of the same accordingly.

4. Learned Presenting Officer has prayed to pass necessary orders.

5. Since the applicant does not want to proceed with the O.A., the same stands disposed of accordingly with no order as to costs.

MEMBER (J)

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

**O.A.NOS. 117, 205, 396, 410, 416, 442, 453, 463, 479, 484, 542,
571, 590, 611, 613, 621, 686, 731, 594 & 643 ALL OF 2015 AND
O.A. NOS. 02, 05, 171, 441, 258 & 519 ALL OF 2016,**

[Shri Ganendrsingh B. Chandel & Ors. Vs. State of Maharashtra & Ors.]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri J.B. Choudhary, learned Advocate for himself and holding for Smt. M.A. Kulkarni, S/Shri A.M. Kulkarni, S.B. Sant & H.A. Joshi, learned Advocates for the applicants and Shri S.D. Dhongde, learned Advocate for the applicant in O.A. No. 441/2016 and S/Shri S.K. Shirse, N.U. Yadav, D.R. Patil, I.S. Thorat, V.R. Bhumkar, Mrs. Priya R. Bharaswadkar, Mrs. Deepali S. Deshpande, Smt. Sanjivani Deshmukh-Ghate and Smt. Resha S. Deshmukh, learned Presenting Officers for the respective respondents in respective cases

2. Learned Advocate for the applicants have submitted that the similar issue has been involved in the O.A. decided by Nagpur Bench of this Tribunal and the said decision has been challenged before the Hon'ble High Court of Bombay, Bench at Nagpur. He has submitted that in view of this it is just and proper to adjourn the matte till decision of the Hon'ble High Court of Bombay, Bench at Nagpur in the above said matter.

3. Learned Presenting Officer has placed on record a copy of the order passed by the Hon'ble High Court of Judicature at Bombay in W.P. Nos. 11443/2016 & Ors. on 23.04.2018, by which the

Hon'ble High Court has quashed the order passed by this Tribunal in the matter of similarly situated persons and remanded the matters to the Principal Seat of this Tribunal at Mumbai for deciding the matter afresh.

4. In view of the submissions made by both the parties, the present matters are removed from the board.

MEMBER (J)

KPB ORAL ORDERS 02.04.2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 334/2018
(Dr. Prashant S. Gunjal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 04.07.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Reply be filed on or before 04-07-2018.

9. S.O. 04-07-2018.

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

MEMBER (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 337/2018
(Dr. Anil K. Gadakh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 04.07.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Reply be filed on or before 04-07-2018.

9. S.O. 04-07-2018.

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

MEMBER (J)

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 338/2018
(Dr. Arun M. Harischandre V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 04.07.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Reply be filed on or before 04-07-2018.

9. S.O. 04-07-2018.

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

MEMBER (J)

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 335/2018
(Shri Suresh M. Jumani V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 09.07.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Reply be filed on or before 09-07-2018.

9. S.O. 09-07-2018.

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

MEMBER (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 336/2018
(Shri Raju M. Dhantole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Heard Shri H.I. Pathan, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 10.07.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Reply be filed on or before 10-07-2018.

9. S.O. 10-07-2018.

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

MEMBER (J)

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 331/2018
(Shri Ranjitsing L. Rajput V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant has not completed his normal tenure on the present post at Dhule and he has been transferred by the impugned order. He has further submitted that the elections for Teachers Constituency has been declared and code of conduct was made applicable in that Constituency and the applicant was appointed as Secretary of Medial Certification and Monitoring Committee by the order dated 29.05.2018 issued by the Assistant Election Decision Officer , Nandurbar. He has submitted that the impugned order has been issued on 30.05.2018 without obtaining the prior approval of the Election Commission and therefore, it is not legal. Therefore, he prayed to stay the execution of impugned order.

3. Learned Chief Presenting Officer seeks one week's time to take instructions from the respondents.

4. On perusal of the record it reveals that the applicant has not completed his normal tenure on the present posting. Moreover he was one of the Member of Medial Certification and Monitoring Committee constitute by the Election Officer for the Nasik Teachers Constituency. There is nothing on record to show as to whether the approval of the Election Commission has been taken for issuing impugned transfer order as the applicant is one of the officers involved in the application and the order has been issued after application of code of conduct for the election. The applicant has not yet been relieved from the present post and therefore, it is just and proper to direct the respondents to maintain status-quo, so far as the applicant is concerned as on today till the next date.

5. Issue notices to the respondents, returnable on 06.07.2018.

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

7. 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.

8. 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.

9. 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.

10. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

11. Reply be filed on or before 06-07-2018.

12. S.O. 06-07-2018.

13. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 332/2018
(Smt. Sangita S. Solanke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant has completed his normal tenure of posting at Aurangabad. She has submitted her options of places for transfer but she has not been given posting of her choice as mentioned by her and she has been transferred to Jalna. He has submitted that the respondents have not followed the guidelines given in the G.R. dated 09.04.2018 and therefore, he prayed to stay to the impugned order.

3. Learned Presenting Officer has submitted that the applicant has completed 6 years and 5 months on the present post at Aurangabad and she is due for transfer and therefore, she has been transferred on the vacant post at Jalna. Therefore, she prayed to reject the interim relief as prayed for by the applicant.

4. On perusal of the record it reveals that the applicant has completed his normal tenure of

posting at Aurangabad and she was due for transfer and therefore, she has been transferred. Prima-facie there is no illegality in the impugned order. Therefore, in my view, it is not a fit case to grant interim relief. Hence, the interim relief is rejected.

5. Issue notices to the respondents, returnable on 09.07.2018.

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

7. 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.

8. 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.

9. 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.

10. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

11. Reply be filed on or before 09-07-2018.

12. S.O. 09-07-2018.

13. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

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

**ORIGINAL APPLICATION NO. 339/2018
(Shri Shrikrushna M. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant has been transferred on administrative ground by impugned order dated 31.05.2018 before completion of his normal tenure of posting. He has submitted that the provisions of Transfer Act 2005 have not been followed by respondents while making the transfer of the applicant. He has submitted that the applicant has not yet been relieved from the present post and therefore, he prayed to stay the operation and execution of impugned order of transfer.

3. Learned Presenting Officer has submitted that he has no instructions from the respondents and he seeks time to take instructions from the respondents to make submissions in that regard.

4. Pima-facie it seems that the provisions of Transfer Act 2005 have not been strictly followed by the respondents while issuing the impugned

order of transfer and therefore, it is just and proper to direct the respondents to maintain status-quo till next date, if the applicant is not relieved. Hence, the respondents are directed to maintain status-quo as on today, if the applicant is not relieved.

5. Issue notices to the respondents, returnable on 11.07.2018.

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

7. 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.

8. 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.

9. 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.

10. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

11. Reply be filed on or before 11-07-2018.

12. S.O. 11-07-2018.

13. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

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

**ORIGINAL APPLICATION NO. 346/2018
(Smt. Vandana B. Koli V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. The applicant has been transferred from Tavase (Kh) to Kamalgaon Tq. Chopda before completion of her normal tenure of posting. Prima-facie, it seems that the provisions of Transfer Act 2005, as well as, guidelines given in the G.R. dated 09.04.2018 have not been followed by the respondents while making transfer of the applicant. The applicant is not yet relieved from her present posting. In these circumstances, it is just and proper to direct the respondents to maintain status-quo as on today till the next date, if the applicant is not relieved.

3. Issue notices to the respondents, returnable on 11.07.2018.

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 the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

8. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. Reply be filed on or before 11-07-2018.

10. S.O. 11-07-2018.

11. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 347/2018
(Shri Anil Y. Thombre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 06.07.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Reply be filed on or before 06-07-2018.

9. The respondents are directed to file specific reply on the point as to whether they have modified/cancelled the order dated 27.03.2018 promoting the applicant in the cadre of Circle Inspector and whether the impugned order is in accordance with the decision rendered by Division Bench of this Tribunal at Aurangabad in O.A. No. 300/2017.

10. S.O. 06-07-2018.

11. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 348/2018
(Shri Bhanudas B. Gadekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. At the request of learned C.P.O. for taking instructions from the respondents, S.O. to 06.06.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

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

**ORIGINAL APPLICATION NO. 344/2018
(Shri Dinkar S. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant is serving as Assistant Superintendent in Rural Hospital Yawal, Dist. Jalgaon since the year 2012 and he is due for transfer. He had given his options regarding place to be transferred and also made request to the respondents to retain him at the same place for one year on the ground of marriage of his daughter. He has submitted that in view of the G.R. dated 09.04.2018 it is necessary for the respondents to consider the request of the applicant and retain him at Yawal for one year, as the applicant is serving at difficult area i.e. Yawal. He has submitted that the respondents have not followed the guidelines given in the G.R. dated 09.04.2016 and without making counseling, the applicant has been transferred. He has submitted that the applicant has not yet been relieved and therefore, he prayed to grant interim relief.

3. Learned Presenting Officer has submitted that the counseling has been made on 31.05.2018 and the applicant has given undertaking to the effect that his transfer is made as per his request and he has no grievance in respect of it. She has submitted that there is no violation of any guidelines mentioned in the G.R. dated 09.04.2018 and therefore, she has prayed to reject the interim relief as prayed for by the applicant. She has submitted that the applicant has not yet been relieved.

4. On perusal of the record, it reveals that the applicant has sought extension of one year at the same place i.e. at Yawal on the ground of his daughter's marriage. Prima-facie two undertakings had been given by the applicant i.e. on 28.05.2018 and 31.05.2018 as mentioned by the learned Advocate for the applicant at paper book page nos. 55 and 56 of the paper book. Page No. 55 is not legible, but the learned Advocate for the applicant had made a statement that it is dated 28.05.2018. Prima-facie initially at the time of counseling, the applicant had given extension for one year at Yawal and therefore, the applicant submitted undertaking dated 28.05.2018. Again another undertaking has been taken from the applicant on 31.05.2018 regarding his transfer as per his willingness. Prima-facie it creates suspicion regarding procedure followed by the respondents while

making counseling. The applicant has been posted at Yawal by impugned order. The applicant has not yet been relieved. Therefore, it is just and proper to maintain status-quo as on today till next date, if the applicant is not relieved. Therefore, the respondents are directed to maintain status-quo as on today, if the applicant is not relieved.

5. Issue notices to the respondents, returnable on 11.07.2018.

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

7. 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.

8. 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.

9. 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.

10. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

11. Reply be filed on or before 11-07-2018.

12. S.O. 11-07-2018.

13. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

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

**ORIGINAL APPLICATION NO. 341/2018
(Shri Suyash A. Nikam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant is working as a Stenographer (L.G.) (Marathi) at Taloda since last six years. He has submitted that at present, the applicant is serving at Nasik on deputation since two years. He has submitted that the applicant has completed his normal tenure of posting at Taloda, which is tribal area. He has submitted that the applicant has submitted his choice of posting in Nasik district. He has been claimed transfer in Nasik district on the ground of ill-health of his mother, who is suffering from Cancer. He has submitted that the respondents have not considered his request in view of provision of G.R. dated 29.12.1993 and the guidelines issued in the G.R. dated 09.04.2018 while making his transfer and he has been transferred to Aurangabad. Therefore, he prayed to stay the execution and operation of the impugned order.

3. Learned Presenting Officer has submitted that the applicant has completed his normal tenure at Taloda and therefore, he has been transferred from Taloda to Aurangabad. He has submitted that only three persons have been transferred by the impugned order and no post was vacant in Nasik District and therefore, considering the grounds mentioned by the applicant in his application, the applicant has been posted at Aurangabad, which is near to Nasik. He has submitted that there is no illegality in the impugned order. Therefore, he prayed to reject the interim relief as prayed for by the applicant.

4. On perusal of the record, it reveals that the applicant has completed his normal tenure of posting at Taloda. He is serving there since six years. Not only this but since last two years, he is serving at Nasik on deputation. In view of the G.R. dated 29.12.1993 the choices/options submitted by the applicant has to be considered, if he works in the tribal area. In fact, the applicant has to give names of the district of his choice where he should be posted before the transfer as per the G.R. Another G.R. dated 09.01.2018 provides that the request of the employee can be considered if his parents are suffering from Cancer and other deceases and they may be posted at the place of his choice as per the availability of the vacancy. Prima-facie

there is nothing on record to show that the post of Stenographer (L.G.) was vacant in Nasik district, when the impugned order has been issued. Therefore, it cannot be said that the respondents had not considered his request to transfer him in Nasik district due to ill-health of his mother. On the contrary, the respondents have posted the applicant at Aurangabad which is near to the Nasik. Distance between Nasik and Taloda is more than the distance in between Nasik and Aurangabad. The convenience of the applicant has been considered while making his transfer at Aurangabad. In these circumstances, in my opinion, there is no just ground to grant interim relief as prayed for by the applicant. Hence, the interim relief is rejected.

5. Issue notices to the respondents, returnable on 11.07.2018.

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

7. 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.

8. 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.

9. 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.

10. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

11. Reply be filed on or before 11-07-2018.

12. S.O. 11-07-2018.

13. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 931/2017
(Shri Dhananjay R. Kauthale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

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

3. S.O. to 13.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 195/2018
(Shri Prakash M. Deshmukh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

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

3. S.O. to 13.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 931/2017
(Shri Dhananjay R. Kauthale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

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

3. S.O. to 13.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 304/2018

(Shri Sudhakar D. Mangalkar & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri K.M. Nagarkar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

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

3. S.O. to 12.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 123/2018
(Shri Shrikant T. Mahajan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri Prasad Jarare, learned Advocate holding for Smt. Trupti Mahajan, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

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

3. S.O. to 13.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 134/2018
(Smt. Latabai B. Nanher V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

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

3. S.O. to 13.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 751/2017
(Shri Deepak K. Budhwant V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri U.B. Shriram, learned Advocate holding for Shri D.S. Bagul, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

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

3. S.O. to 06.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 466/2017
(Shri Shamsundar R. Pande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate holding for Shri A.N. Walujkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. to 02.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 406/2017
(Shri Rajendra H. Kankutey V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri M.B. Kolpe, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 12.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 61/2018
(Shri Bipin A. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. S.O. to 20.06.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 142/2018
(Shri Suresh L. Moholkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

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

3. S.O. to 13.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION NO. 927/2017
(Shri Sk. Nijam Sk. Nanhumiya V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 to 6. G.J. Pahilwan, learned Advocate for respondent No. 7, **absent**.

2. Learned Presenting Officer states that the respondent Nos. 2 to 5 have already filed affidavit in reply and there is no need to file affidavit in reply on behalf of respondent No. 1.

3. At the request of learned Advocate for the applicant, S.O. to 13.07.2018.

MEMBER (J)

KPB ORAL ORDER 05-06-2018

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

**ORIGINAL APPLICATION NO. 246/2018
(Vaishali V. Sangle 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 : 05.06.2018

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on
26.6.2018.

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

4. Applicant is authorized and directed to serve on
Respondents intimation/notice of date of hearing
duly authenticated by Registry, along with complete
paper book of O.A. Respondents are put to notice that
the case would be taken up for final disposal at the
stage of admission hearing.

5. This intimation/notice is ordered under Rule
11 of the Maharashtra Administrative Tribunal
(Procedure) Rules, 1988, and the questions such as
limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery,
speed post, courier and acknowledgement be
obtained and produced along with affidavit of

compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notices are not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Without filing any detailed affidavit in reply, the res. no. 3 is hereby directed to comply with the order dtd. 24.4.2018. The learned Advocate for the applicant makes a statement that the res. no. 3 has sent a list of recommended candidates, the res. nos. 1 & 2 are directed not to act on the basis of the said recommendations as regards Open category candidates till filing of affidavit in reply by them in the present matter.

9. S.O. to 26.6.2018.

10. 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. 748/2018
(Girish B. Deshmukh 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 : 05.06.2018

ORAL ORDER :

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

2. In view of absence of applicant and his learned Advocate S.O. to 18.6.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 305/2014
(Rohan V. Aundhekar 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 : 05.06.2018

ORAL ORDER :

Heard Shri U.L. Momale, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. Both the sides agreed that, in view of the selection process in question is over in the year 2014 itself, present O.A. for seeking selection has become infructuous.

3. In the circumstances, with consent of both the sides, the present O.A. is disposed of as has become infructuous without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**C.P. 12/2017 IN O.A. 46/2015
(Nikhil D. 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 : 05.06.2018

ORAL ORDER :

Heard Shri K.C. Sonar, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Presenting Officer for respondents.

2. Learned C.P.O. files on record a copy of communication dtd. 24.5.2018 along with copy of order of the same date. The said documents are taken on record and marked as document 'X' collectively for the purpose of identification and copies thereof are supplied to the learned Advocate for the applicant. Learned C.P.O. submits that the order of the Tribunal dtd. 1.7.2016 passed in O.A. no. 46/2015 is complied with by the respondents.

3. Shri Sonar, learned Advocate holding for Shri Bhumkar, learned Advocate for the applicant seeks time for making statement on the above line. At his request, S.O. to 26.6.2018 for making statement on the above line.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**C.P. 15/2017 IN O.A. 554/2013
(Dr. Ashok V. Biradar 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 : 05.06.2018

ORAL ORDER :

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

2. At the request of both the sides, S.O. to 5.7.2018 for taking instructions regarding total compliance of the order of the Tribunal in O.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**C.P. 19/2017 IN O.A. 522/2000
C.P. 20/2017 IN O.A. 718/1998
C.P. 21/2017 IN O.A. 1203/1999
C.P. 22/2017 IN O.A. 717/1998
C.P. 23/2017 IN O.A. 492/2002
C.P. 24/2017 IN O.A. 493/2002
C.P. 25/2017 IN O.A. 525/2002
C.P. 26/2017 IN O.A. 705/1996
C.P. 27/2017 IN O.A. 682/1996
C.P. 28/2017 IN O.A. 718/1996**

(Shri Valmik N. Patil & 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 : 05.06.2018

ORAL ORDER :

Heard S/shri M.H. Patil & A.S. Deshmukh, learned Advocates for the applicants in respective matters and S/shri M.S. Mahajan, S.K. Shirse, N.U. Yadav, V.R. Bhumkar, I.S. Thorat, Smt. Resha S. Deshmukh, Smt. Sanjivani Deshmukh Ghate & Smt. Deepali S. Deshpande, learned Chief Presenting Officer & Presenting Officers for the respective respondents in respective matters.

2. Learned C.P.O. / P.Os. seeks one month's time for taking instructions about the compliance of the order in question, from the respondents. Considering the fact that the present C.Ps. are pending since long, as a last chance, S.O. to 17.7.2018 for compliance of the order in O.As. with a warning to the concerned respondents that in case no compliance is made of the order in question, the

Tribunal would be constrained to take such a coercive action as may be deemed fit according to law.

3. Steno copy allowed for the use of learned C.P.O./P.Os.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 329/2017
(Karwar D. Balbhim 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 : 05.06.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant submits
that, he has heard that the applicant is already given
appointment, however, definite instructions from the
applicant in this regard are required. In the
circumstances, as a last chance S.O. to 20.6.2018 for
making statement by the learned Advocate for the
applicant on the above line.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 622/2017
(Sagar C. Nemane 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 : 05.06.2018

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 Advocate for the applicant, as a last chance, S.O. to 11.6.2018 for compliance of the order dated 9.4.2018 & also for hearing. The interim relief granted earlier to continue till then only.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 669/2017
(Balasaheb B. Surwase 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 : 05.06.2018

ORAL ORDER :

Heard Shri Ajinkya Kale, learned Advocate holding for Shri S.B. Talekar, 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 3.7.2018 for filing short affidavit on the line of order dtd. 10.4.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 713/2017
(Venkat D. Mundhe 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 : 05.06.2018

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent nos. 1 to 4. None appears for respondent nos. 5 & 6.

2. Learned P.O. has filed affidavit in reply of res. nos. 2 & 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. He submits that, presently affidavit in reply of res. no. 1 is not necessary. In the circumstances S.O. to 3.7.2018 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 563/2014
(Tushar B. Rajput 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 : 05.06.2018

ORAL ORDER :

Heard Shri H.V. Tungar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. At the request of learned P.O. S.O. to 9.7.2018 for filing affidavit in reply of added respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 12/2017
(Babu G. Kapale 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 : 05.06.2018

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Shri S.G. Kulkarni, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondent no. 1. None appears for respondent nos. 2 & 3.

2. At the request of learned Advocate for the applicant, S.O. to 26.6.2018 for satisfying the Tribunal regarding query raised vide order dtd. 19.4.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 762/2017
(Manoranjan R. Dhas 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 : 05.06.2018

ORAL ORDER :

Heard Shri A.N. Nagargoje, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 13.6.2018 for filing short affidavit on the line of order dtd. 18.4.2018. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 848/2017
(Ranipanchsheela S. Bansode 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 : 05.06.2018

ORAL ORDER :

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

2. Learned P.O. files on record affidavit in reply of res. no. 2. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. Learned Advocate for the applicant has filed rejoinder of the applicant to the affidavit in reply of res. nos. 1, 3 & 4. It is taken on record and copy thereof has been served upon the learned P.O. for the respondents. In the circumstances, S.O. to 3.7.2018 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION NO. 74/2018
(Bhagwan B. Chemate 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 : 05.06.2018

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 4.7.2018 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**M.A. 446/2012 IN C.P. ST. 1507/2012 IN O.A. 239/1998 & O.A.
11/2003**

(Pawan A. Landge 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 : 05.06.2018

ORAL ORDER :

Heard Shri S.D. Dhongde, 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 2.7.2018 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

M.A. NO. 67/2018 IN O.A. NO. 964/2017

WITH

M.A. NO. 93/2018 IN O.A. 1116/2017

WITH

M.A. NO. 66/2018 IN O.A. 945/2017

(Dr. Manojkumar B. Daigavane & 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 : 05.06.2018

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Smt. Poonam Mahajan, learned Advocate for the applicants in all these O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for respondent nos. 1 to 3 in all these O.As. and Shri Ajay Deshpande, learned Advocate for respondent nos. 5 to 21 in all these O.As. Shri S.V. Advant, learned Advocate for respondent no. 4 in all these O.As. (**absent**).

2. Learned Advocate for the applicants has filed rejoinder to the reply of res. no. 14 in respective O.As. and one common affidavit in all the O.As. on the line of the order dtd. 3.5.2018. Shri Deshpande, learned Advocate for res. nos. 5 to 21 has filed common affidavit of concerned respondents on the line of order dtd. 3.5.2018 in all these O.As. Learned C.P.O. has also filed short affidavit of concerned respondents in all the

O.As. on the line of order dtd. 3.5.2018. The same are taken on record and copies thereof are served on each others. In the circumstances, S.O. to 18.6.2018 for hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 5-6-2018

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

**ORIGINAL APPLICATION ST. NO. 767/2018
(Mangesh B. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. Patil, Member (J)

DATE : 05.06.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant has completed his full tenure of posting at Beed and is due for transfer, but his name was not included in the list of the employees due for transfer prepared by the respondents in view of provisions of sec. 4 (2) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for short the Transfer Act, 2005) and therefore he has not given choices for proposed transfer. He has submitted that the respondents abruptly issued the impugned order dtd. 31.5.2018 and transferred the applicant at Nanded from Beed. He has submitted that the applicant has made a representation to the respondents and raised his grievance in that regard. He has submitted that the applicant is not yet relieved from the present posting and therefore he has prayed for interim relief.

3. Learned P.O. has submitted that G.R. dtd. 9.4.2018 is in the nature of guidelines. She has submitted that the applicant was due for transfer as he has completed full tenure at Beed and therefore he

has been transferred. She submits that there is no illegality in the impugned transfer order and therefore interim relief may not be granted.

4. On perusal of record, it appears that the applicant was serving at Beed since 17.11.2011. He has completed his 2 full tenures of posting at Beed in view of proviso to sec. 3 of the Transfer Act, 2005. The applicant was aware that he was due for transfer, but he has not given choices of posting on the ground that his name was not recorded in the list of employees due for transfer prepared by the respondents. As the applicant has not given his options for posting, respondents transferred and posted him at Nanded. Prima-facie there seems to be no illegality in the impugned order. Therefore in my view it is not a fit case to grant interim relief. Hence the request of applicant to grant interim relief is rejected.

5. Issue notices to the respondents, returnable on 11.7.2018.

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

7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

8. 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.

9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

10. In case notices are not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

11. S.O. to 11.7.2018.

12. Steno copy allowed for the use of both the sides.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 480 OF 2017

[Shri Dnyaneshwar B. Sonawane & Ors. Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Shri G.K. Kshirsagar, learned Advocate for the applicants (**absent**). Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents, present.

2. It appears from the proceedings that on the last date also nobody appeared for the applicants. From the submissions made by the learned Presenting Officer for the respondents and pleadings made by the applicant in the present O.A., it appears that the applicant is challenging the educational qualification of the Education Officer and Deputy Education Officer only of having graduation while teachers' qualification is B.ed. According to the applicants, thus, for the lower post higher educational qualification is prescribed and, therefore, the concerned rules are challenged.

3. In view of the absence of the learned Advocate for the applicants, S.O. to 21st June, 2018 for making submissions on the above line or for passing necessary orders in default.

VICE CHAIRMAN

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

C.P.NO. 16/2017 IN O.A.NO. 396/1998

[Shri Chandulal G. Sheth Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri Girish A. Nagori, learned Advocate for the applicant and Shri M.S. Mahajan, learned Presenting Officer for the respondents, present.
2. Learned Chief Presenting Officer for the respondents makes a statement that the compliance of the order dated 4.12.2015 passed in O.A. No. 396/1998, is made. He has filed a copy of communication dated 27.10.2017 to that effect and the same is taken on record and marked as document 'X' for the purpose of identification.
3. Learned Advocate for the applicant seeks time to take instructions from the applicant. Time granted.
4. Hence, S.O. to 14th June, 2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 439 OF 2013

[Shri Sakharam G. Choughule Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri Ashish Rajkar, learned Advocate holding for Shri R.D. Khadap, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to make submissions on the line of the order dated 24.4.2018. At his request, S.O. to 21st June, 2018 for making submissions on the line of the order dated 24.4.2018 or for hearing.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 381 OF 2013

[Shri Uttam R. Kshirsagar Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. The present case is partly heard by the Division Bench.
3. S.O. to 15th June, 2018 for further hearing. It be treated as part heard.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

M.A.NO. 167/2018 IN O.A.NO. 64/2018

[Shri Bhagwan S. Chavan Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Shri M.D. Godhamgaonkar, learned Advocate for the applicant (**absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, present.

2. It appears that the O.A. No. 64/2018 was dismissed in default on 24.4.2018, since nobody appeared for the applicant on that date and since the query raised by this Tribunal vide order dated 2.2.2018 also remained to be satisfied.

3. In the circumstances, S.O. to 27th June, 2018 for hearing on the query raised by this Tribunal vide order dated 2.2.2018 passed in O.A. No. 64/2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

M.A.NO. 142/2018 IN O.A.NO. 66/2018

[Shri Dnyaneshwar P. Kadam Vs. 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 : 05.06.2018.

ORAL ORDER :

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

2. Shri Sachin Dasharath Wagh, respondent No. 5 in M.A. & proposed respondent No. 5 in O.A. present personally and seeks time to engage Advocate and also to file reply. At his request, S.O. to 25th June, 2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

M.A.NO. 105/2018 IN O.A.NO. 386/2018

[Dr. Uddhav S. Khaire Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer for the respondents, S.O. to 5th July, 2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

M.A.NO. 358/2014 IN O.A.ST.NO. 1184/2014

[Dr. Gangadhar D. Chate Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri S.V. Mundhe, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri D.K. Borkar, learned Advocate holding for Shri P.D. Suryawanshi, learned Advocate for respondent No. 4.

2. Learned Presenting Officer submits that there are no further instructions regarding the compliance to be made by the respondent No. 3 though the proposal is already decided by the concerned respondents sent by respondent No. 2.

3. It is to be noted that not only the concerned respondents were themselves required to take a decision, but even after directions given by this Tribunal vide order dated 20.12.2017, still no final decision is taken.

4. In the circumstances, time is granted as a last chance for compliance till 11th July, 2018 with a forewarning that in case no final decision is taken by that time this Tribunal would be constrained to impose heavy costs personally on the concerned respondents and or to direct that adverse entry in the Annual Confidential Report may be taken as regards the said officers / respondents.

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M.A.NO. 358/2014 IN
O.A.ST.NO. 1184/2014

5. Steno copy allowed for the use of learned Presenting Officer.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 185 OF 2018

[Shri Vasant S. Bagde Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri M.B. Bharaswadkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 10th July, 2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 171 OF 2018

[Dr. Prakash R. Kanade Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 11th June, 2018 to enable him to take instructions regarding the compliance of the order dated 26.03.2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 154 OF 2018

[Smt. Priyanka P. Shinde Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Smt. Swati Nakhate Patil, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents seeks time to file affidavit in reply.
3. Learned Advocate for the applicant submits that respondent No. 2 has not complied with the order containing paragraph No. 8 of the order dated 15.03.2018 till this date.
4. In the circumstances, with a forewarning that in case the order is not complied with, this Tribunal would be constrained to take coercive action, which may be deemed fit against the concerned respondent, S.O. to 17th July, 2018.
5. Steno copy and hamdust is allowed to both the parties.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 133 OF 2018

[Shri Uttam S. Varpade Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri P.B. Rakhunde, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents submits that during the course of the day she will file separate affidavit in reply on behalf of respondent No. 2 and common affidavit in reply on behalf of respondent Nos. 1, 3 & 4. She undertook to serve the copies of the replies on the learned Advocate for the applicant.
3. S.O. to 24th July, 2018 for hearing.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 128 OF 2018

[Hausaji L. Marakwad Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri Ajay Deshpande, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent Nos. 1 to 3 and Shri P.B. Rakhunde, learned Advocate holding for Shri Vivek Bhavthankar, learned Advocate for respondent No. 5. None appears for respondent No. 4.

2. Learned Presenting Officer for respondent Nos. 1 to 3, as well as, learned Advocate for the respondent No. 4 seek time to file affidavit in reply. At their request, S.O. to 17th July, 2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 100 OF 2018

[Shri Ramrao T. Rathod Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents seeks time to file affidavit in reply. At his request, S.O. to 19th July, 2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 87 OF 2018

[Shri Ramrao K. Thombare Vs. 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 : 05.06.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 6th June, 2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 57 OF 2018

[Shri Uttam T. Dabhade & Ors. Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri S.D. Dhongde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. Learned Chief Presenting Officer submits that there are no instructions from the respondents. In the circumstances, at his request, as a last chance, S.O. to 4th July, 2018 for filing affidavit in reply or for filing report regarding corrective steps taken.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 32 OF 2018

[Shri Shahadeo S. Bangar Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents 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. In the circumstances, S.O. to 4th July, 2018 for hearing.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 26 OF 2018

[Shri Bhushan V. Raut Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri S.D. Munde, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents seeks one week's time. At her request, S.O. to 18th June, 2018 for complying the order dated 17.4.2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 958 OF 2017

[Smt. Nalinidevi R. Thakor Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Shri Raghuvirsing M. Patil, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer, on instructions, submits that as per the interim directions the interview of the present applicant is conducted on 16.01.2018.

3. In view of the absence of the applicant and his Advocate since last more than three dates, S.O. to 19th June, 2018 either for making submissions or for passing necessary orders in default.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 943 OF 2017

[Shri Amol J. Udawant Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri S.J. Rahate, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. Learned Advocate Shri V.B. Wagh appeared and he has filed intervention application in the present Original Application and the same is taken on record.
3. A true copy of the answer-sheet has been placed on record by learned Advocate Shri V.B. Wagh and the same is taken on record and marked as document 'X' for the purpose of identification.
4. Learned Advocate Shri S.J. Rahate for the applicant seeks time to go through the answer-sheet and to file rejoinder, if any. Learned Advocate Shri V.B. Wagh also seeks time to file short affidavit if any, At their request, S.O. to 27th June, 2018 for compliance of the above order.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 911 OF 2017

[Shri Dadabhau N. Salunke Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. At the request of learned Presenting Officer for the respondents, S.O. to 17th July, 2018.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 826 OF 2017

[Shri Ashok U. Jadhav Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri P.G. Gunale, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.
2. Learned Presenting Officer has filed short affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. Learned Advocate for the applicant submits that the departmental appeal is now kept for hearing and may be heard. He, therefore, seeks withdrawal of the present Original Application with liberty to file fresh Original Application, in case order in the appeal would go adverse to the applicant.
4. Permission granted. Withdrawal is allowed. Accordingly, the present Original Application is disposed of as withdrawn with liberty as prayed by the applicant. There shall be no order as to costs.

VICE CHAIRMAN

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

ORIGINAL APPLICATION NO. 247 OF 2018

[Shri Shankar J. Khedkar Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri Sandeep D. Munde, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant, on instructions, submits that the applicant wishes to withdraw the present Original Application as combined causes of action in the O.A., with liberty to file fresh Original Applications.

3. Permission granted. Withdrawal allowed. Accordingly, the present Original Application is disposed of as withdrawn without any order as to costs with liberty as prayed for.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

O.A.NOS. 603, 604, 605, 606, 607, 608, 609 & 780 ALL OF 2017

[Shri Jaideep A. Limbale & Ors. Vs. 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 : 05.06.2018.

ORAL ORDER :

1. Heard Shri A.S. Deshmukh & Ms. Preeti R. Wankhade, learned Advocates for the applicants in respective cases and S/Shri S.K. Shirse, N.U. Yadav, V.R. Bhumkar, I.S. Thorat, Mrs. Priya R. Bharaswadkar, Smt. Resha S. Deshmukh, Smt. Deepali S. Deshpande & Smt. Sanjivani Deshmukh – Ghate, learned Presenting Officers for the respective respondents in respective cases.

2. Learned Presenting Officer has filed a copy of communication dated 4th June, 2018 along with copy of order dated 21st May, 2018 passed by the concerned respondent and the same is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Presenting Officer submits that out of these applicants 7 applicants are accommodated in the region itself as there were vacant posts. However, for the rest of the applicants, there are no posts available in the region, as per the guidelines.

4. Learned Advocate for the applicant seeks time to go through the documents filed on record and also to consider the above submissions and both sides are

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**O.A.NOS. 603 TO 609 & 780 ALL
OF 2017**

directed to make submissions on the above line, on the next date.

5. S.O. to 3rd July, 2018. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 333 OF 2018

[Dr. Manish A. Sutawane Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

1. Heard Shri H.A. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
2. S.O. to 6th June, 2018.

MEMBER (J)

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 340 OF 2018

[Dr. Satishkumar A. Bodade Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

1. Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 11th July, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 11th July, 2018.

9. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

ORAL ORDERS 05.06.2018-HDD

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

M.A.NO. 84/2018 IN O.A.NO. 113/2012

[Bhagwat T. Kadam Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

1. Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. Issue notices to the respondents in M.A. No. 84/2018, returnable on 6th July, 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. 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, M.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 6th July, 2018.

9. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 342 OF 2018

[Shri Sanjay K. Barote Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

1. Heard Shri V.Y. Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that the applicant has posted at Bhokardan as Clerk in the year 2013. Thereafter, he has been promoted as Awal Karkun in the year 2014 and since then he is serving there. He has submitted that the applicant has not completed his two full tenures of posting at Bhokardan, but he has been transferred abruptly by the respondents by the impugned order dated 31.5.2018. He has submitted that the said order is in contravention of the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay In Discharge of Official Duties Act, 2005 (In short "the Transfer Act of 2005"). No special reasons have been recorded while passing the transfer order. Therefore, he prayed to stay the operation of the impugned transfer order. He has placed reliance on the judgment delivered by the Hon'ble Bombay High Court Bench at Aurangabad in W.P. No. 5652/2009 [Shriprakash Maruti Waghmare Vs. the State of Maharashtra and Others] in support of his contention.

3. Learned Presenting Officer for the respondents has submitted that the applicant has been transferred on administrative ground before completion of his tenure, in view of the provisions of 4 (4) & 4 (5) of the Transfer Act of 2005. He has submitted that Civil Service Board has considered the proposal of the transfer of the applicant and, recommended the transfer of the applicant. Accordingly the impugned transfer order has been issued. He has submitted that there is no illegality in the order. Therefore, he prayed to reject the prayer for interim relief.

4. On perusal of the record, it reveals that the applicant has rendered more than 5 years service at Bhokardan. He has been transferred to Ambad by the impugned order of transfer dated 31.5.2018 on administrative ground in view of the provisions of the Section 4 (4) and 4 (5) of the Transfer Act of 2005, on the basis of the recommendation of the Service Board. *Prima facie* it seems that the respondents have followed the provisions of the Transfer Act of 2005 while making the transfer of the applicant. In these circumstances, I find no just ground to grant interim relief as prayed for. Hence, prayer to grant interim relief as prayed for is rejected.

5. Issue notices to the respondents, returnable on 11th July, 2018.

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

7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly

authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

8. 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.

9. 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.

10. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

11. S.O. to 11th July, 2018.

12. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

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

ORIGINAL APPLICATION NO. 343 OF 2018

[Shri Jayant D. Khadake Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

1. Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
2. At the request of learned Advocate for the applicant, S.O. to 8th June, 2018.

MEMBER (J)

ORAL ORDERS 05.06.2018-HDD

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

ORIGINAL APPLICATION NO. 345 OF 2018

[Dr. Shivaji J. Rathod Vs. State of Maharashtra & Ors]

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 05.06.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that without transferring the applicant respondent No. 5 has been posted at the place of applicant and, therefore, the applicant apprehends that the respondents may relieve him at any time. Therefore, he prayed to grant interim relief in terms of prayer clause 9 (a).

3. Learned Presenting Officer has submitted that he requires one week's time to take instructions from the respondents to file affidavit in reply.

4. On perusal of the record, it reveals that the respondent No. 5 has been posted in place of the applicant by the impugned transfer order dated 31.5.2018. The applicant has not been transferred from the present posting. Therefore, I find substance in the contention of the learned Advocate for the applicant that the applicant will be relieved on the basis of the said order. In the circumstances, it is just to protect the interest of the applicant. Therefore, the respondents are directed not to relieve the applicant till the next date.

5. Issue notices to the respondents, returnable on 3rd July, 2018.

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

7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

8. 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.

9. 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.

10. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

11. S.O. to 3rd July, 2018.

12. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)