

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Shri S.D.Joshi learned Advocate for the applicant is **absent**. Shri D.R.Patil learned Presenting Officer for respondents is present.

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

3. S.O. to 21-09-2018.

4. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.370/2018
(Dhammaratna Ghule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

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

2. Issue fresh notice to the respondent no.4, returnable on 21-09-2018.

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 respondent no.4 intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondent no.4 is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. If notice is not collected within 7 days or service proof is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

8. S.O.to 21-09-2018.

9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.397/2018
(Surjeetsingh Tabelwale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Heard Shri G.S.Shembole learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

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

3. S.O. to 24-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.432/2018
(Ajabrao Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for respondent no.1 and Shri S.D.Dhongde learned Advocate for respondent nos.2 and 3.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondent no.1. Time is granted.

3. S.O. to 24-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.489/2018
(Shyamsundar Mhetre V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 18-09-2018 to satisfy the query raised by the Tribunal on 11-07-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.505/2018
(Suryakant Tatode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondent no.4. Time is granted.

3. Issue fresh notice to the respondent nos.1 to 3, returnable on 01-10-2018.

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. If notice is not collected within 7 days or service proof is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

9. S.O.to 01-10-2018.

10. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.516/2018
(Ravindra Gangurde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

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

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

3. S.O. to 21-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**M.A.No.508/2017 IN O.A.St.No.1873/2017
(Vasant Joshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondent nos.1 and 2. Time is granted subject to payment of costs of Rs.1000/-.

3. S.O. to 03-10-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**M.A.No.196/2018 IN O.A.No.199/2018
(Gajanan Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Heard Shri M.B.Sandanshiv learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

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

3. S.O. to 28-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.284/2016
(Dr. Usha Bholane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Heard Shri K.A.Ingle learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

Shri B.S.Deshmukh learned Advocate for respondent no.5 is **absent**.

2. Learned P.O. prays for adjournment. Adjournment is granted.

3. S.O. to 10-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.878/2016
(Nitinkumar Adhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant, Smt. M.S.Patni learned Presenting Officer for respondents and Smt. Sunita D. Shelke learned Advocate for respondent nos.3 and 4.

2. Learned P.O. prays for adjournment on the ground that office file of the respondents is not traceable.

3. On previous occasion also learned P.O. sought time on the same ground. In the interest of justice time is granted as a last chance to argue the matter finally.

4. S.O. to 24-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.142/2017
(Bajirao Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant, Smt. Sanjivani Ghate learned Presenting Officer for respondent no.1 and Smt. Suchita Dhongde learned Advocate holding for Shri S.D.Dhongde learned Advocate for respondent nos.2 to 4.

2. Learned Advocate for respondent nos.2 to 4 prayed for time for arguing the matter finally. Time is granted.

3. S.O. to 01-10-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.395/2017
(Smt. Shobha Pathak V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Shri S.D.Joshi learned Advocate for the applicant is **absent**.

Heard Smt. M.S.Patni learned Presenting Officer for respondents and Shri S.B.Mene learned Advocate for respondent nos.2 and 3.

2. None is present for the applicant. Matter be kept for passing appropriate order on the next date.

3. S.O. to 27-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.710/2017
(Sharad Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Shri A.M.Gholap / S.D.Joshi learned
Advocate for the applicant (**absent**).

Shri M.P.Gude learned Presenting Officer
for respondents is present.

2. None is present for the applicant. Matter
be kept for passing appropriate order on the next
date.

3. S.O. to 27-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**ORIGINAL APPLICATION NO.951/2017
(Ram S. Channa Reddy V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Shri S.D.Joshi learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.

2. None is present for the applicant. Matter be kept for passing appropriate order on the next date.

3. S.O. to 27-09-2018.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

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

**M.A.No.443/2017 IN O.A.St.No.1598/2018
(Bhimrao Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant, Smt. M.S.Patni learned Presenting Officer for respondents and Smt. Sunita D. Shelke learned Advocate holding for Shri D.R.Shelke learned Advocate for respondent no.3.

2. It is contention of the applicant that he had filed representation dated 21-04-2008 claiming deemed date of promotion and his representation has not been decided by the respondent no.1 so far. It is his contention that the respondent no.1 has orally informed that his representation is not considered. It is his contention that applicant has relied on the assurance given by the respondents that his representation will be considered favorably. Therefore, he waited for the same and delay is caused for filing the O.A. It is further contention of the applicant that the

cause of action is continuous, and therefore, it just and proper to condone the delay caused for filing the O.A.

3. Learned Advocate for the applicant has submitted that valuable rights of the applicant are involved in the case, and therefore, he prayed to condone the delay for the reasons stated in the misc. application.

4. Learned P.O. and the learned Advocate for the respondent no.3 have strongly objected to condone the delay caused for filing the O.A. They have accordingly prayed to reject the M.A.

5. On perusal of the contentions raised by the applicant that he had filed representation dated 21-04-2008 but the respondents have not decided the same. They had assured the applicant that his representation will be considered but no decision is taken by the respondents. Therefore, delay is caused in filing the O.A. He, therefore, prayed to allow the M.A.

and delay caused in filing the O.A. be condoned in the interest of justice and equity.

6. It seems that the reasons mentioned in the M.A. are justifiable, and therefore, it is just and proper to condone the delay caused for filing O.A. As valuable rights of the applicant are involved in the case, it deserves to be allowed in the interest of justice.

7. In view of the abovesaid discussion, M.A. is allowed. Delay caused for filing the O.A. is hereby condoned. M.A. stands disposed of accordingly with no order as to costs.

8. O.A. be registered and numbered after removal of office objections, if any, as per procedure.

MEMBER (J)

YUK ORAL ORDER 21-08-2018 F

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO.621/2018
(Yogesh Abhimanyu Ahire V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant is serving as a Junior Engineer in the Public Works Sub Division, Chalisgaon, Dist. Jalgaon. He has submitted that the office of the applicant was assigned work of construction of protection wall on the bank of Titur river in the Chalisgaon Taluka of Jalgaon District and said work has been completed. It is his contention that Sarpanch of the village Waghali, Tq. Chalisgaon, Dist. Jalgaon filed a complaint with the respondents alleging that the work done by the applicant's office was not up to the mark and

there is corruption in the said work. Sarpanch of Village Waghali had threatened to observe hunger strike if no action is taken in the matter. Therefore, on 14-08-2018, respondent no.3 issued the impugned communication to the Sarpanch of Village Waghali in which it is mentioned that the applicant has been suspended because of the inferior quality work done by him. It is submitted on behalf of the applicant that copy of the said order has been forwarded to the respondent no.1 for obtaining ex-post facto sanction to the same but no such order has been served on the applicant. Therefore, he has prayed to grant interim relief in favour of the applicant.

3. Learned P.O. has submitted that the respondent no.3 has issued suspension order on 18-08-2018 but because of the holidays it has not been served on the applicant by this time. She has submitted that there is misappropriation in the work of construction of the protection wall on the bank of River Titur, and therefore,

after due enquiry, the applicant has been suspended. The learned P.O. has submitted that action taken by the respondents is as per the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 and there is no illegality in the same. Therefore, she has prayed to reject the interim relief claimed by the applicant.

4. On perusal of the record it reveals that by communication dated 14-08-2018 respondent no.3 has informed Sarpanch of Village Waghala that the applicant has been suspended, and therefore, he requested him not to proceed on hunger strike. On perusal of the documents produced by the respondents it reveals that the suspension order has been issued on 18-08-2018 and the applicant has been suspended w.e.f. 14-08-2018. There are serious allegations against the applicant. It is alleged that the protection wall constructed on the bank of river Titur is not upto the mark. There are charges of serious misconduct against the applicant. Therefore, he has been suspended.

5. In view of these facts and circumstances, in my opinion, it is not a fit case to grant interim relief as prayed for by the applicant. Hence, the request of the applicant for grant of interim relief is rejected.

6. Issue notice to the respondents, returnable on 11-09-2018.

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

8. 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.

9. 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.

10. 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.

11. If notice is not collected within 7 days or service proof is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

12. S.O. to 11-09-2018.

13. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 398/2018
(Shri Dnyaneshwar K. Sanap V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 08.10.2018 for filing affidavit in reply.

KPB ORAL ORDER 21-08-2018

MEMBER (J)

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 25.09.2018.

KPB ORAL ORDER 21-08-2018

MEMBER (J)

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 25.09.2018.

KPB ORAL ORDER 21-08-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 136/2018
(Shri Sambhaji P. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Shri S.V. Bhopi, learned Advocate for the
applicant (**Absent**). Shri M.P. Gude, learned
Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to
25.09.2018.

KPB ORAL ORDER 21-08-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 419/2018 with
Caveat St. No. 786/2018
(Shri Rajendra P. Bagade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3. Shri N.L. Jadhav, learned Advocate for respondent No. 4, absent.

2. Learned Chief Presenting Officer seeks time to take instructions from the respondents. Time granted.

3. S.O. to 27.08.2018.

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 564/2018
(Shri Subhash S. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Shri Sudhir Patil, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 10.09.2018.

KPB ORAL ORDER 21-08-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 620/2018
(Shri Baban D. Gadekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Heard Shri P.P. Deshmukh, learned Advocate holding for Shri V.M. Maney, 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 07.09.2018.

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 599/2018
(Shri Vilas R. Mahajan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.09.2018.

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. Issue regarding interim relief is kept open.

9. S.O. 27-09-2018.

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. 600/2018
(Shri Ravindra S. Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.09.2018.

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. Issue regarding interim relief is kept open.

9. S.O. 27-09-2018.

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. 601/2018
(Shri Sandip P. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.09.2018.

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. Issue regarding interim relief is kept open.

9. S.O. 27-09-2018.

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. 602/2018
(Shri Nivrutti C. Suryawanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.09.2018.

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. Issue regarding interim relief is kept open.

9. S.O. 27-09-2018.

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. 603/2018
(Shri Ganesh M. Marathe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.09.2018.

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. Issue regarding interim relief is kept open.

9. S.O. 27-09-2018.

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. 604/2018
(Shri Vishwas L. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.09.2018.

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. Issue regarding interim relief is kept open.

9. S.O. 27-09-2018.

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. 605/2018
(Shri Sunil R. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.09.2018.

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. Issue regarding interim relief is kept open.

9. S.O. 27-09-2018.

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. 606/2018
(Shri Ravindra S. Khare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.09.2018.

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. Issue regarding interim relief is kept open.

9. S.O. 27-09-2018.

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. 624/2018
(Dr. Vijaykumar G. Wagh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant has completed post graduation course i.e. Master of Public Health (M.P.H.) in the year 2015 and thereafter, he has been appointed as Taluka Health Officer, Panchayat Samittee, Paithan, Dist. Aurangabad by order dated 05.05.2017 and since then he is working there. He has submitted that the applicant has not completed his normal tenure of posting at Paithan, but the respondents have issued the impugned order dated 18.08.2018 and he has been posted as Taluka Health Officer, Parola, Dist. Jalgaon. He has submitted that the impugned order is in contraventions 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 2005"). He has submitted that nobody has been posted at Paithan and the applicant is still working there.

Therefore, he prayed to direct the respondents to maintain status-quo as on today till filing of the affidavit in reply.

3. Learned Presenting Officer has submitted that he has no instructions from the respondents and therefore, he seeks short time to file detailed affidavit in reply.

4. In view of the fact that the applicant has been posted as Taluka Health Officer, Panchayat Samittee, Paithan, Dist. Aurangabad and he has not completed his normal tenure of posting at Paithan, therefore, it is just and proper to direct the respondents to maintain status-quo as on today as regards present posting of the applicant till filing of the affidavit in reply by them. Hence, the respondents are directed to maintain status-quo as on today as regards present posting of the applicant till filing of the affidavit in reply by the respondents.

5. Issue notices to the respondents, returnable on 24.09.2018.

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. S.O. 24-09-2018.

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. 718/2016
(Shri Ashok T. Bari & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Shri S.S. Deshmukh, learned Advocate for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 25.09.2018 for passing dismissal order.

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 214/2018
(Shri Chetan V. Kangarkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Shri N.P. Bangar, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of the respondents. Time granted as a most last chance. In case, the respondents failed to file affidavit in reply on the next date, the heavy costs will be saddled on them.

3. S.O. to 29.08.2018.

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 242/2017
(Shri Mohan R. Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. Pleadings are complete. Hence, the present
O.A. is admitted and it be kept for final hearing
on 24.09.2018.

KPB ORAL ORDER 21-08-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 580/2017
(Shri Subhamangal S. Bhakt V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Heard Shri S.A. Wakure, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 26.09.2018.

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 648/2017
(Shri Bhaskar S. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for respondent Nos. 1 & 2 and Smt. S.D. Shelke, learned Advocate for respondent Nos. 3 & 4.

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 24.09.2018.

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 35/2018
(Shri Akbar H. Md. Hussain V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Heard Shri M.S. Taur, learned Advocate holding for Shri A.N. Kakde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. Learned Presenting Officer has filed separate affidavit in replies on behalf of respondent Nos. 1, 2 & 3 respectively. Same are taken on record and the copies thereof have been served on the learned Advocate for the applicant.

3. S.O. to 03.10.2018

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 89/2018
(Smt. Sayeda Khalida Md. Naeem V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 26.09.2018

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 122/2018
(Shri Ramdas T. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

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

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

3. S.O. to 18.09.2018

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 162/2018
(Shri Baliram B. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 21.08.2018.

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 & 2 and Shri S.D. Dhongde, learned Advocate for respondent Nos. 3 & 4.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 and 2. Time granted as a last chance.

3. S.O. to 24.09.2018

MEMBER (J)

KPB ORAL ORDER 21-08-2018

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

**ORIGINAL APPLICATION NO. 330/2018
(Pawangir L. Giri V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Shri Prashant Deshmukh, learned Advocate holding for Shri Omprakash Y. Kashid, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Shri Deshmukh, learned Advocate makes a statement that, he has been instructed by Shri Kashid, learned Advocate for the applicant to appear in this matter. Shri Deshmukh, learned Advocate seeks time to file his V.P. in the present matter. Time granted.

3. S.O. to 18.9.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 399/2018
(Kantilal K. Golwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 24.9.2018.

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 notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application

shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 24.9.2018.

9. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 607/2018
(Jagdish B. Gadakh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Issue notice before admission to the respondents, returnable on 24.9.2018.

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 notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application

shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 24.9.2018.

9. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 618/2018
(Sharad D. Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notice before admission to the respondents, returnable on 24.9.2018.

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 notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application

shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 24.9.2018.

9. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 619/2018
(Bharti M. Pardeshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Similar matter i.e. O.A. no. 528/2018 is being posted on 5.9.2018.

3. In the circumstances, issue notice before admission to the respondents in the present matter, returnable on 5.9.2018.

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

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

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

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

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

9. S.O. to 5.9.2018.

10. Steno copy / humdast allowed for both the sides.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 622/2018
(Shri Narendra Vijaykumar Naverkale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Applicant in pursuance of the advertisement bearing no. 74/2017 dtd. 27.11.2017 published by the res. no. 2 has applied for the post of Administrator General and Official Trustee of the Maharashtra State. According to the learned Advocate for the applicant the educational qualifications and experience clause in the said advertisement are as under :-

*“4-3 'kS{kf.kd vgZrk %& A degree in Law of a recognized University **and***

4-4 vuqHko %&

(a) Seven years experience as an Advocate, OR

(b) Seven years experience as an Attorney of High Court, OR

(c) Ten years as a member of the Judicial Service of State, OR

(d) *Five years experience as a Deputy Administrator General and Official Trustee.*

Preference will be given to candidates having experience of the actual Administration of estates of deceased persons or trust estates or of advising such executors or trustees administering such estates or trusts and workable knowledge of the law relating to trusts, succession and transfer of property.”

3. It is the contention of the learned Advocate for the applicant that, though the present applicant fulfills all the criteria was not called even for interview and on the contrary the res. no. 3 – Shri Parag Moreshwar Subhedar – has been recommended for appointment as per order dtd. 24.7.2017 (Exh. A. 2 page 15 of O.A.). Therefore, applicant is claiming that the res. no. 2 be restrained to appoint the res. no. 3 on the said post.

4. Learned P.O. has pointed out the clause regarding experience as mentioned in the advertisement, which is already reproduced above. From the said clause, it seems that, there is a clear instruction that preference will be given to the candidates having more experience. Clause 5 of the advertisement is also referred by the learned P.O., which reads as under :-

“५. प्रस्तुत जाहिरातीमध्ये नमूद केलेली शैक्षणिक अर्हता, अनुभव इ. अर्हता किमान असून, केवळ किमान अर्हता धारण केली म्हणून उमेदवार मुलाखतीस बोलविण्याकरिता पात्र असणार नाही. जाहिरातीस अनुसरून

प्राप्त झालेल्या अर्जांची संख्या वाजवी प्रमाणापेक्षा जास्त असेल आणि अर्ज सादर केलेल्या सर्व पात्र उमेदवारांच्या मुलाखती घेणे सोईस्कर नसल्यास मुलाखतीसाठी उमेदवारांची संख्या मर्यादित करण्याच्या दृष्टीने जाहिरातीत दिलेल्या शैक्षणिक अर्हता आणि/अथवा अनुभव यापेक्षा जादा शैक्षणिक अर्हता/अनुभव किंवा अन्य योग्य निकष याच्या आधारे निकष निश्चित करून अथवा चाळणी परीक्षेद्वारे मुलाखतीस पात्र उमेदवारांची संख्या मर्यादित करण्यात येईल. चाळणी परीक्षा घेण्याचे निश्चित झाल्यास, अर्हता आणि/अथवा अनुभव शिथिल केला जाणार नाही. चाळणी परीक्षेचा अभ्यासक्रम, परीक्षेचे माध्यम व इतर बाबीआयोगाच्या वेबसाईटवर प्रसिध्द करण्यात येतील. प्रस्तुत जाहिरातीमध्ये भरती संदर्भातील संक्षिप्त तपशील दिलेला आहे. अर्ज करण्याची पध्दत, आवश्यक अर्हता, आरक्षण, वयोमर्यादा, शुल्क, निवडीची सर्वसाधारण प्रक्रिया, परीक्षा योजना, अभ्यासक्रम, इत्यादीबाबतच्या सविस्तर तपशीलासाठी आयोगाच्या www.mpsc.gov.in या वेबसाईटवरील सरळ सेवाभरती अंतर्गत “उमेदवारांना सर्वसाधारण सुचना” मध्ये उपलब्ध करून देण्यात आलेल्या माहितीचे कृपया अवलोकन करावे. आयोगाच्या वेबसाईटवर प्रसिध्द करण्यात आलेली माहिती व जाहिरात अधिकृत समजण्यात येईल.”

5. From the aforesaid clause in the advertisement, it is clear that merely because a candidate possesses the requisite qualification and experience has no right to call for interview.

6. Applicant himself has placed on record a list published by the res. no. 2 at Exh. A. 3 page 18 from which it seems that almost 108 candidates were not called for interview, which includes the present applicant, who is at sr. no. 43. It is, therefore, clear that the res. no. 2 has applied the criteria of more experience for calling the candidates for interview and accordingly called only 10 candidates for interview for one post. Accordingly, as per the marks secured in the interview, the res. no. 3 was preferred. We, therefore, prima-facie do not find any illegality in the selection process conducted by the res. no. 2. Hence, we pass the following order :-

ORDER

The Original Application is dismissed
without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**M.A. 300/2018 IN O.A. 519/2018
(Vishwanath U. Choudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. The present M.A. has been filed by the applicant for permission to amend the O.A. and bring on record certain developments happened after filing the O.A.

3. For the reasons stated in the M.A. it is allowed and disposed of. The applicant is permitted to amend the O.A. within a period of one week and copy of amended O.A. be served on the learned P.O. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

O.A. 519/2018

(Vishwanath U. Choudhary V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 5.9.2018 for filing affidavit in reply of respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**C.P. 24/2018 IN O.A. 494/2016
(Laxmikant G. Ratnaparkhi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Learned C.P.O. files on record sur-rejoinder on behalf of res. nos. 1 to 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. Learned Advocate submits that he wants some time to go through the sur-rejoinder. Time granted.

4. S.O. to 18.9.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**C.P. 47/2018 IN O.A. 138/2016
(Dr. Sk. Faiz. Kd. Noor V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3 and Shri D.T. Devane, learned Advocate for respondent no. 4.

2. Learned P.O. for res. nos. 1 to 3 and learned Advocate for res. no. 4 have requested for time to file explanation on record as directed by the Tribunal earlier. Time granted as a last chance.

3. S.O. to 11.9.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**C.P. 50/2018 IN O.A. 421/2012
(Anant M. Thakur V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned P.O. submits that writ petition has been filed by the State against the order of the Tribunal in O.A. and the same has been circulated before the Hon'ble High Court. Hon'ble High Court has granted circulation and said writ petition is posted to 18.9.2018. The present matter be adjourned after 18.9.2018.

3. In view of above, S.O. to 27.9.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 397/2017
(Janardhan V. Ghasing V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 19.9.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 412/2017
(Prashant R. Shelke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he wants to file representation to the respondents. He is permitted to do so. He is directed to file the same on or before 23.8.2018 and copy thereof be filed in the present matter.

3. S.O. to 23.8.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 566/2017
(Rajendra G. Mane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Learned P.O. has filed reply of res. nos. 1 to 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. In the circumstances, S.O. to 27.9.2018 for filing rejoinder, if any.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 689/2017
(Babasaheb N. Andhale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to
5.9.2018 for filing sur-rejoinder.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Shri G.C. Khond, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent nos. 1 to 3. None appears for respondent no. 4.

2. Learned Advocate for the applicant has filed rejoinder of the applicant. It is taken on record with copy to other side.

3. It appears that pleadings in the present matter are complete. Hence, Admit.

4. Place the matter for final hearing ON 26.9.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 911/2017
(Dadabhau N. Salunke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. At the request of learned P.O., as a last chance, S.O. to 5.9.2018 for filing reply of res. no. 1

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 67/2018
(Dr. Md. Feroz Iqbal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. At the request of learned P.O., as a last chance, S.O. to 24.9.2018 for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 181/2018
(Narsing L. Kaswewad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Learned P.O. has placed on record copy of order of promotion of the applicant. It is taken on record and marked as document 'X' for the purpose of identification and copy thereof has been served upon the learned Advocate for the applicant. Learned Advocate submits that he will take instructions from his client and will make statement on the next date i.e. on 24.8.2018.

3. In the circumstances, S.O. to 24.8.2018.

MEMBER (A)

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NOS. 234, 280, 281, 282, 283 & 284/2018
(Dr. Charulata C. Pawar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicants in all these matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these matters.

2. At the request of learned P.O., S.O. to 27.9.2018 for filing affidavit in reply of the respondents in all these matters.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 273/2018
(Ganesh D. Chavhan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Shri S.B. Sontakke, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 3 and Shri R.D. Khadap, learned Advocate holding for Shri P.A. Salvi, learned Advocate for respondent nos. 4 & 5.

2. At the request of learned Advocate for the res. nos. 4 & 5, S.O. to 29.8.2018 for filing reply.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 375/2018
(Kirankumar B. Kasule V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Shri S.R. Wakale, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 & 2 and Shri S.B. Mene, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for respondent no. 3.

2. Learned P.O. has filed reply of res. no. 2. It is taken on record with copy to other side. She further submits that reply of res. no. 1 is not necessary.

3. With the consent of both the sides, the present matter be posted for admission hearing on 4.9.2018.

MEMBER (A)

VICE CHAIRMAN

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

**M.A. 301/2018 IN O.A. 534/2018
(Majoj S. Gavhane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he wants to bring on record subsequent developments occurred after filing the O.A. as MPSC has issued another advertisement bearing no. 36/2018 and applicant wants to challenge that advertisement.

3. For the reasons stated in the M.A. it is allowed and disposed of. The applicant is permitted to amend the O.A. within a period of one week and copy of amended O.A. be served on the learned P.O. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**O.A. 534/2018
(Majon S. Gavhane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. At the request of learned P.O. S.O. to 5.9.2018 for filing affidavit in reply of respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**C.P. NO. 61/2018 IN O.A. 534/2018
(Majoj S. Gavhane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. The present C.P. has been filed by the applicant against the respondents for non compliance of the order of the Tribunal passed in O.A. st. no. 1205/2018 (i.e. O.A. no. 534/2018) dtd. 19.7.2018. The learned Advocate further submits that for non compliance of order of this Tribunal the respondents be prosecuted under the provisions of Contempt of Courts Act, 1971 and Maharashtra Administrative Tribunal (Contempt of Court) Rules, 1996.

3. According to learned Advocate, this Tribunal was pleased to pass interim order in O.A. no. 534/2018 on 29.7.2018, which reads as under :-

“8. Upon hearing the learned Advocate for the applicants, it appears that, independent post is included in the declaration dtd. 12.7.2018 (Annex. A. 4 page 27), which was not earlier notified vide advertisement dtd. 7.3.2018 (Annex. A. 2 page 22) and in similar circumstances for different cadres,

the respondent M.P.S.C. has taken step for cancellation of said declaration, interim relief in terms of prayer clause (E), which reads as under, is hereby granted :-

“(E) Pending hearing and final disposal of original application, effect, execution and implementation of the impugned Declaration dated 7.7.2018 and 12.7.2018 may kindly be stayed.”

9. Without filing any detailed affidavit in reply, the respondent M.P.S.C. is hereby directed to go through the above observations and more particularly through the declaration dtd. 12.7.2018 (Annex. A. 4 page 27) and take corrective steps in the present matter.

In case the respondent M.P.S.C. come to the conclusion that no corrective steps can be taken in the matter, then short affidavit explaining reasons therefor be filed on the next date.”

4. According to learned Advocate, the applicant informed the respondent MPSC through e.mail communication on 21.7.2018 at about 12.14 p.m. that interim order has been passed by the Tribunal in O.A. no. 534/2018 on 19.7.2018 and, therefore, MPSC should not proceed in the matter further. Copy of said communication is placed on record by the applicant at Annex. A. 4 page 30. He has also filed on record the acknowledgement to show that MPSC was again intimated as per Annex. A. 5. However, MPSC has declared the result on 21.7.2018 in the evening and this action of the

respondent MPSC is contempt of order of this Tribunal passed in O.A. dtd. 19.7.2018.

5. We have perused so called intimation sent by the applicant to the MPSC about passing interim order dtd. 19.7.2018 by the Tribunal in his O.A. The said mail reads as under :-

*“egkjk”V yksdlsok vk;ksx ekQZr ?ksrY;k
xsysY;k egkjk”V कृषी सेवा आयोग २०१८ पूर्व परीक्षा
निकाल बाबत आक्षेप घेतल्या कारणाने मी MAT येथे तक्रार केल्या
असल्या कारणाने आपण पूर्व परीक्षांचा निकाल आदेश मिळपर्यंत लावू
नये. त्याबाबत कागदपत्रे खाली जोडली आहेत तरी मूळ कागदपत्रे
सोमवारी जमा करण्यात येतील.”*

6. From the aforesaid intimation, it appears that, there is no whisper about the order of this Tribunal in O.A. no. 534/2018 and, therefore, MPSC might have declared the result even it is accepted that intimation was given. We have also perused the order in O.A., which clearly shows that the MPSC was given option for taking corrective steps and was directed to file short affidavit explaining the reasons. In the O.A. affidavit is accordingly filed by the concerned respondent.

7. It seems that the MPSC has issued another advertisement on 24.7.2018. Whether such advertisement is legal or not will be considered in the O.A. itself. In our view, prima-facie, there is no contempt committed by the respondent MPSC

and, therefore, the C.P. is dismissed without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 436/2018
(Santosh M. Mane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. At the request of learned C.P.O., as a last chance, S.O. to 5.9.2018 for filing affidavit in reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 443/2018
(Jagannath W. Vispute V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. Learned P.O. has filed reply of res. nos. 2 &
3. It is taken on record. He undertook to serve copy of reply upon the learned Advocate for the applicant.

3. In view of absence of applicant and his learned Advocate, S.O. to 27.9.2018.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**ORIGINAL APPLICATION NO. 472/2018
(Kishor G. Lalsare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 27.9.2018 for filing reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

ORIGINAL APPLICATION NO. 512/2018

**(Ashok L. Supekar (Died) through legal heir Smt. Lalita A. Supekar V/s. State of
Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.8.2018

ORAL ORDER :

Heard Shri Ketan Pote, learned Advocate holding for Shri S.K. Mathpati, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 27.9.2018 for filing reply of the respondents.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 21-8-2018

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

**M.A. 455/17 WITH M.A. 426/17 IN O.A.ST.1824/16
(Shri Krishna B. Joshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent Nos. 1 to 3. Shri P.R. Tandale, learned Advocate for respondent No. 4 (**absent**).

2. At the request of learned Advocate for the applicant, S.O. to 23rd August, 2018, to enable him to argue M.A. for condonation of delay.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**M.A. 496/2017 IN O.A. 1017/2015
(Shri Gorakshanath N. Londe & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri B.S. Devkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he does not want to press the M.A. No. 496/2017 and submits that the same may be disposed of.

3. In view of the aforesaid submission made by the learned Advocate for the applicants, the present M.A. stands disposed of with no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 1017 OF 2015
(Shri Gorakshanath N. Londe & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri B.S. Devkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants submits that he wants to amend the present Original Application since he wants to challenge the Recruitment Rules of 1998 and seeks time to file application in that regard. Time granted.

3. S.O. to 5th September, 2018 for filing amendment application.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**M.A. 497/2017 IN O.A. 178/2016
(Shri Somnath B. Bagul & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he does not want to press the M.A. No. 497/2017 and submits that the same may be disposed of.

3. In view of the aforesaid submission made by the learned Advocate for the applicants, the present M.A. stands disposed of with no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 178 OF 2016
(Shri Somnath B. Bagul & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants submits that he wants to amend the present Original Application since he wants to challenge the Recruitment Rules of 1998 and seeks time to file application in that regard. Time granted.

3. S.O. to 5th September, 2018 for filing amendment application.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri Milind Patil, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 7th September, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 159 OF 2010
(Dr. Prakash A. Sawant & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Shri M.S. Taur, learned Advocate holding for Shri K.J. Suryawanshi, learned Advocate for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate Shri M.S. Taur submits Advocate Shri K.J. Suryawanshi is appearing in the present case and due to personal difficulty he is unable to appear today. Hence he seeks time.

3. In view of the above, this case be kept in due course of time.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 713 OF 2017
(Shri Venkat D. Mundhe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Shri K.G. Salunke, learned Advocate for the applicant (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondents, present.

2. It appears from the record that on the last date i.e. on 03.07.2018 learned Advocate Shri K.B. Jadhav holding for Shri K.G. Salunke, learned Advocate for the applicant was appeared and requested for time to file rejoinder. Therefore, the present case was kept today. However, today none appeared for the applicant.

3. Since pleadings are complete and no rejoinder is filed, the present case is admitted and it be kept for final hearing in due course of time.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**O.A.NOS. 336, 337 & 338 ALL OF 2014
(Shakeer I. Sd. & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri Ketan Pote, learned Advocate holding for Shri Arvind G. Ambetkar, learned Advocate for the applicants in all these cases and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents in all these cases.

2. Heard at length and reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**O.A.NOS. 488 & 489 BOTH OF 2016
(Shri Sukhdev S. Chite & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicants in both these cases and Shri M.P. Gude, learned Presenting Officer for the respondents in both these cases.

2. Heard at length and reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**O.A.NOS. 553/2013 & 639, 640, 676, 681, 682, 803, 860, 864, 897,
905 TO 910 ALL OF 2012 AND 243, 259, 260 & 325 ALL OF 2013
(Shri Rashid Sk Noor Patel & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate for the applicants in all these cases and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these cases.

2. At the request of learned Advocate for the applicants, S.O. to 23rd August, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**T.A. 03/2017 [W.P. 11093/2017]
(Shri Ashraf A. Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Shri S.D. Munde, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 16th October, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**O.A.NOS. 118 TO 120 ALL OF 2017
(Manasi K. Kulkarni & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicants in all these cases and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases.

2. At the request of learned Advocate for the applicants, S.O. to 23rd August, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 278 OF 2017
(Maharashtra State Vaidyakiya Mahavidyalaya & Rugnalaya Karmachari
Sanghatana, Aurangabad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Shri Madhur A. Golegaonkar, learned Advocate for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. No rejoinder is filed in the present case. Since nobody appears for the applicant, S.O. to 16th October, 2018 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 250 OF 2014
(The Karyakari Adhikari Sanghatana, RTO through its Joint Secretary V/s.
State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

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

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**M.A.NO. 302/2018 IN O.A.NO. 462/2018
(Shri Satendra V. Aulwar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants in M.A., Smt. M.S. Patni, learned Presenting Officer for the respondent Nos. 7 & 8 in M.A. and Shri S.R. Barlinge, learned Advocate for respondent Nos. 1 to 6 in M.A./original applicants. None appears for respondent Nos. 9 to 14 in M.A.

2. Learned Advocate Shri A.S. Deshmukh has filed affidavit in reply on behalf of respondent Nos. 3, 5, 6, 9, 10 & 12 in O.A. No. 462/2018 and the same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate Shri S.R. Barlinge, for applicants in O.A., as well as, learned Presenting Officer for respondent Nos. 7 & 8 have requested that they may be given an opportunity to file affidavit in reply to the

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**M.A.NO. 302/2018 IN
O.A.NO. 462/2018**

present M.A. It is stated that the present case be placed on 24th August, 2018.

4. In view of the above, with consent S.O. to 24th August, 2018 for filing affidavit in reply and for hearing on M.A. No. 302/2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd

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

**M.A.NO. 215/2018 IN O.A.ST. 1053/2018
(Shri Amit M. Ghawale & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : J.D. KULKARNI, VICE CHAIRMAN
AND
ATUL RAJ CHADHA, MEMBER (A)**

DATE : 21.08.2018

ORAL ORDER :

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

2. S.O. to 24th August, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 21-08-2018-hdd