

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

**O.A.ST.1824/16 WITH M.A. 455/17 WITH M.A. 426/17
(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 : 23.08.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that inadvertently number of grounds, such as personal difficulties faced by the applicant, were not pleaded in the application for condonation of delay and, therefore, applicant wants to withdraw the O.A. along with M.As. with liberty to file fresh O.A. along with condonation of delay.

3. We made it clear that whatever grounds pleaded in this M.A. may not be treated as accepted. The applicant may file separate O.A. as per his desire and we keep open all the points, which may be raised by the applicant in such application to be considered on merits.

4. In view of the above, the permission is granted to the applicant to withdraw the present O.A. along with M.As.

**O.A.ST.1824/16 WITH M.A.
455/17 WITH M.A. 426/17**

5. Accordingly, both the O.A. & M.As. are disposed of as withdrawn with liberty as prayed for by the applicant. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 163 OF 2015
(Shri Sharad U. Wange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018

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. The present case is heard at length and reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23-08-2018-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 : 23.08.2018

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. Learned Advocate for the applicants has filed a copy of communication dated 11.1.2017 issued by respondent No. 4 to respondent No. 3 and copy of the same has been taken on record and marked as document 'X' for the purpose of identification.

3. From the aforesaid communication, it seems that the respondent No. 4 is ready to appoint the present applicants on contract basis as per the procedure mentioned in the said letter.

4. Learned Advocate for the applicants submits that the applicants are ready to be appointed on contract basis.

5. In view of the above, learned Presenting Officer is directed to take instructions as to within how many days the orders may be issued in favour of the present applicants.

O.A.NOS. 118 TO 120 ALL OF 2017

6. S.O. to 24th August, 2018 for taking instructions from the respondents by the learned Presenting Officer.

7. Learned Presenting Officer shall act on steno copy.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23-08-2018-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 : 23.08.2018

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. Learned Advocate for the applicants submits that on the similar issue the matter has been heard by the Hon'ble Supreme Court in S.L.P. No. 6039 of 2016 and the same is fixed for final hearing on 28th August, 2018 and, therefore, he requested that the present cases be adjourned.

3. In view of the above, S.O. to 25th September, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23-08-2018-hdd

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

**T.A.03/18 [W.P. 9260/18] WITH T.A.04/18 [W.P.9259/18] WITH
T.A.05/18 [W.P.9261/18] WITH T.A.06/18 [W.P.9314/18]
(Shri Mangesh R. Datar & 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 : 23.08.2018

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, S/Shri M.R. Mundhe, Nitin S. Kadarale, & Abhay R. Rathod, learned Advocates for the respective applicants in respective cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases.

2. The present cases have been received on transfer from the Hon'ble Bombay High Court Bench at Aurangabad in view of the order passed in W.P.. No. 9259/2018 with W.P.Nos. 9261, 9260 & 9314 all of 2018. The order has been passed on 21st August, 2018 itself and in view of the observations made by the Hon'ble High Court the applicants appeared today before this Tribunal.

3. Learned Chief Presenting Officer on behalf of the respondent Nos. 1 to 3 have made a categorical statement that the respondent authorities for time being stopped the process of main examination and, therefore, the respondents be given an opportunity to submit

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T.A.03/18	[W.P.9260/18]	WITH
T.A.04/18	[W.P.9259/18]	WITH
T.A.05/18	[W.P.9261/18]	WITH
T.A.06/18	[W.P.9314/18]	

their say in the present cases and, therefore, he seeks one week's time to file short affidavit in these cases.

4. In view of the above, the present cases be kept, for filing short affidavit in all these cases, on 3rd September, 2018.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 412 OF 2017
(Shri 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 : 23.08.2018

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. By the present Original Application, the applicant is claiming for quashing and setting aside the impugned order dated 29.5.2017 (Annexure 'H') passed by the respondent No. 1 and also is claiming declaration that the enquiry is conducted in gross violation of the Maharashtra Civil Services (Discipline and Appeal) Rules and to direct the respondent No. 1 to promote the applicant on the post of Additional Collector as per the Govt. Order dated 03.10.2017 (Annexure 'H-1'). The applicant is also claiming that his case shall be treated as per Government Resolution dated 22.4.1996 and also in view of the direction given by the judgment in W.P. No. 6315/2014.

3. As per the impugned order dated 29.5.2017, the following punishment was imposed upon the applicant.

O.A. NO. 412 OF 2017

“श्री. प्रशांत शेळके, तत्का. जिल्हा पुनर्वसन अधिकारी, पुणे यांच्याविरुद्ध महाराष्ट्र नागरी सेवा (शिस्त व अपील) नियम, १९७९ च्या नियम ८ मधील तरतुदीनुसार शासन ज्ञापन क्र. विभाचौ-२२१५/३५६/प्र.क्र.५१/ई-४, दिनांक १४.०७.२०१५ अन्वये सुरु करण्यात आलेल्या विभागीय चौकशी प्रकरणी श्री. शेळके यांची पुढील वेतनवाढ त्यापुढील वेतनवाढीवर परिणाम न करता ३ वर्षाकरिता रोखण्यात येत आहे.”

4. It is stated that since the punishment awarded is minor punishment, there is option for the applicant to undergo this punishment in promotional post also.

5. The Hon'ble High Court in **W.P. No. 6315/2014 [THE STATE OF MAHARASHTRA VS. SHRI ASHOK DHONDIRAM MORE]** decided on 9th July, 2014, has observed in paragraph No. 9 as follows: -

“9. In the present set of facts, the Tribunal has adopted a view in the light of the Government Resolution dated 22.4.1996. It is an admitted position that the respondent was awarded minor punishment of withholding three increments for three years, for which, according to the policy of the State, a person could not be denied promotion. Considering the case of Mr. Shekokar, the Tribunal directed that the petition shall be promoted accordingly.”

The applicant, therefore, wants directions to that effect.

O.A. NO. 412 OF 2017

6. Learned Advocate for the applicant submits that the applicant has filed representation to the Principal Secretary on 21.8.2018, a copy of which is placed on record and marked as document 'X' for the purposes of identification. He submits that the present Original Application can be disposed of if directions are issued to the Principal Secretary (Revenue) to take decision on that representation within a stipulated period.

7. We are satisfied that the present Original Application can be disposed of by giving directions to the Principal Secretary (Revenue) to take decision on the representation filed by the applicant.

8. In view thereof, we pass the following order:-

ORDER

(i) The present Original Application stands disposed of with a directions to the Principal Secretary (Revenue), Mumbai to take decision on the representation filed by the applicant on 21.8.2018, in view of G.R. dated 22.4.1996 and observations of the Hon'ble High Court as referred supra, as per its own merits within a period of two months from the date of this order.

O.A. NO. 412 OF 2017

(ii) The respondent No. 1 shall communicate the decision taken on representation to the applicant in writing.

(iii) The applicant may approach this Tribunal if decision goes against the applicant.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 23-08-2018-hdd

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

**ORIGINAL APPLICATION NO. 287/2018
(Dr. Ritibusan A. Garwale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to file service affidavit of respondent No. 6. Time granted.

3. S.O. to 08.10.2018.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 698/2017
(Shri Jalamsing D. Valvi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

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

3. S.O. to 04.10.2018.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**O.A. No. 313/2017 with O.A. No. 407/2017
(Shri Tulshiram B. Chavan & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicants in both the O.As., Shri D.R. Patil, learned Presenting Officer for respondent Nos. 1 to 4 in both the O.As. and Shri S.D. Joshi, learned Advocate for respondent No. 5 in both the O.As.

2. At the request of learned Advocate for respondent No. 5, S.O. to 27.08.2018.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 116/2018
(Shri Sanjay M. Deokate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.

3. S.O. to 06.09.2018.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 04/2017
(Shri Ramlal B. Brahmane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 11.09.2018.

KPB ORAL ORDER 23-08-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 475/2018
(Smt. Shivkanya S. Bharti V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 26.09.2018 for filing affidavit in reply.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 478/2018
(Shri Mariba Y. Kamble V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 26.09.2018 for filing affidavit in reply.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 356/2017
(Dr. Shrikrishna R. Wani V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, 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 03.10.2018.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 130/2018
(Dr. Yogesh V. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 04.10.2018 for filing affidavit in reply.

KPB ORAL ORDER 23-08-2018

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 236/2017
(Smt. Yamuna L. Hosale & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file short affidavit on behalf of respondent No. 1 in view of the directions given by this Tribunal on 11.06.2018. Time granted.

3. S.O. to 25.09.2018.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 184/2017
(Shri Nadim Y. Shaikh (Mulla) V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. On instructions, learned Advocate for the applicant has submitted that the applicant does not want to proceed with the O.A. and wants to withdraw the same. Therefore, he seeks leave of this Tribunal to withdraw the O.A.

3. In view of the aforesaid submissions advanced by the learned Advocate for the applicant, leave to withdraw the present O.A. is granted.

4. Accordingly, the present O.A. is disposed of as withdrawn with no order as to costs.


MEMBER (J)

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

**ORIGINAL APPLICATION NO. 258/2017
(Dr. Deepashri G. Choudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 1. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
3. On perusal of the affidavit in reply of Varsha Maunjaji Bharose, Deputy Secretary, Public Health Department, Mantralaya, Mumbai, it reveals that the respondent No. 1 is going to take corrective steps to issue fresh orders regarding the maternity leave of the applicant with a concurrence of Finance Department.
4. Learned Presenting Officer has submitted that as on today he has no instructions from the

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O.A. No. 258/2017

FARAD COOPERATION SOCIETY
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD

respondents regarding the proposal of the applicant and therefore, he seeks time to take instructions from the respondent No. 1 in that regard.

5. In view of the submissions made by the learned Presenting Officer, S.O. to 27.09.2018.


MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**M.A. No. 304/2018 in M.A. No. 253/2018 in O.A. St. No. 1120/18
(Shri Shubham H. Myadarwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Heard Shri G.J. Karne, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. For the reasons mentioned in paragraph no. 3 of the application, the same deserves to be allowed. Hence, the M.A. No. 304/2018 for restoration of M.A. 253/18 in O.A. St. 1120/18 is allowed and the order of dismissal passed in M.A. 253/18 in O.A. St. 1120/18 on 20.08.2018 is recalled. The M.A. 253/18 in O.A. St. 1120/18 is restored to its original number.

3. Accordingly, the M.A. No. 304/2018 stands disposed of with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**M.A. No. 253/2018 in O.A. St. No. 1120/18
(Shri Shubham H. Myadarwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Heard Shri G.J. Karne, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondents.

2. In view of the order passed in M.A. No. 304/2018 on 23.08.2018, the M.A. No. 253/2018 in O.A. St. No. 1120/2018 is restored to its original number. Issue fresh notice 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.

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M.A. 253/18 in
O.A. St. 1120/18

IN THE MAHARASHTRA ADMINISTRATIVE
APPEALS TRIBUNAL, AURANGABAD BENCH, AURANGABAD

M.A. No. 253/2018 in O.A. St. No. 1120/18

OFFICE ORDER

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. S.O. 27-09-2018.

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

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**O.A. No. 267, 331, 332, 333, 334, 335, 336, 337, 338, 349, 421,
422, 423 & 473 all of 2017**

(Dr. Sachin D. Waghmare & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS


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

DATE : 23.08.2018.

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicants in all these O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for respondents in all these O.As. and Shri P.K. Wagh, learned Advocate holding for Shri A.D. Aghav, learned Advocate for respondent No. 4 in O.A. Nos. 331, 332, 333, 336, 337 & 349 all of 2017. Shri D.S. Mali, learned Advocate for respondent No. 4 in O.A. Nos. 337 & 338 both of 2017, absent.

2. Learned Advocate Shri P.R. Tandale, has filed VAKIL PATRA on behalf of respondent No. 4 in O.A. No. 267/2017. Same is taken on record. He seeks time to file affidavit in reply on behalf of respondent No. 4, if necessary. Time granted.



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O.A. Nos. 267/2017
& Ors

3. Learned Chief Presenting Office has submitted that the respondents in O.A. Nos. 334, 335, 421 & 423 all of 2017 are adopting the affidavit in reply filed by the respondent Nos. 1 to 3 in O.A. Nos. 267, 331, 332, 333, 336, 337, 338, 349, 422 & 473 all of 2017.

4. S.O. to 03.10.2018.


MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 832/2017
(Shri Ramkrishan K. Mhaske & Ano. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Heard Shri K.C. Sonone, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

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

3. It transpires from the proceedings that already so many opportunities were given to the respondents for filing affidavit in reply, but they failed to file affidavit in reply in time. There is no just ground to grant further time for filing affidavit in reply. However, in the interest of justice, a most last chance is granted for filing affidavit in reply, subject to payment of costs of Rs. 10,000/- (Ten Thousand only). The amount of costs shall be deposited in the registry of this Tribunal.

4. S.O. to 21.09.2018.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 849/2018
(Smt. Shashikala G. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Pleading are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 25.09.2018.

MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**O.A. No. 333/2018 with Caveat No. 25/2018
(Dr. Manish A. Sutawane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has placed on record a copy of the communication dated 23.08.2018 received to his office from the Desk Officer, Maharashtra State. Same is taken on record.

3. Issue fresh notice to the respondent No. 3, returnable on 12.09.2018.

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.

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O.A. 333/18 with
Caveat 25/18

ORAL ORDER

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
9. S.O. 12-09-2018.
10. Steno copy and hamdust is allowed to both the sides.


MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**M.A. No. 234/2018 in O.A. No. 348/2018
(Shri Bhanudas B. Gadekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.


ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for respondents.

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

3. Learned Advocate for the applicant has submitted that he wants to take instructions from the applicant as to whether he wants to challenge the Circular issued by the Hon'ble Chairman regarding the condition inserted in the notice/order to collect the notices and submit the service report, before the competent forum and therefore, he prayed to remove the present matter from the board.

4. Hence, the present matter is removed from the board.


MEMBER (J)

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

**M.A. No. 82/2018 in O.A. St. No. 327/2018
(Dr. Sanjay P. Biradar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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


DATE : 23.08.2018.

ORAL ORDER :

Shri S.K. Chavan, 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 respondents in M.A.
Time granted as a last chance.

3. S.O. to 25.09.2018.


MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

**ORIGINAL APPLICATION NO. 574/2016
(Smt. Jyoti D. Siddhewar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Desmukh, 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 19.09.2018.


MEMBER (J)

KPB ORAL ORDER 23-08-2018

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

ORIGINAL APPLICATION NO. 631/2016
(Smt. ~~Vidya~~ Ujwala A. Jadhao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 23.08.2018.

ORAL ORDER :

Shri T.M. Venjane, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for respondents.

2. Learned Presenting Officer has placed on record a copy of the communication dated 20.08.2018 received to his office from Dean, Government Ayurvedic College, Nanded along with a copy of the affidavit sworn by the applicant on 100/- Rs. bond paper. Same are taken on record and marked as document 'X' collectively for the purposes of identification.

3. As none present for the applicant, S.O. to 06.09.2018 for further orders.


MEMBER (J)

KPB ORAL ORDER 23-08-2018