

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

**ORIGINAL APPLICATION NO. 611/2017  
(Shri Nagnath G. Jadhav V/s. State of Maharashtra &Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. Issue fresh notices to the respondents, returnable on 7-11-2017.

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

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

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

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

7. S.O.to 07-11-2017.

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

**MEMBER (J)**

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

**M.A. No. 32/2017 in O.A. St. No. 883/2016  
(Smt. Dwarkabai P. Ramteke V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Smt. (Dr.) KalpalataPatil-Bharaswadkar,  
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, 7.11.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 533/2017  
(Shri Milind D. Tungar&Anr.V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri SambhajiMundhe, 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 respondents. Time granted.

3. S.O. to 06.11.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

**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.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri V.B. Wagh, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

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

3. S.O. to 03.11.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 207/2017  
(Shri Prabhakar A. Kathar V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

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

3. S.O. to 03.11.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 49/2017  
(Shri Uttamrao S. Joshi V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned Advocate  
for the applicant and Smt. Deepali S. Deshpande,  
Presenting Officer for respondents.

2. At the request of learned Presenting Officer,  
S.O. to 30.10.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 32/2017  
(Smt. Subhadrabai N. Sonwane V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

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

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 326/2017  
(Shri Nilakant S. Jadhav V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri SandipRathod, learned Advocate for  
the applicant (**Absent**). Shri V.R. Bhumkar,  
learned Presenting Officer for respondents,  
present.

2. As none present for the applicant, S.O. to  
09.10.2017, for passing necessary orders.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017



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

**ORIGINAL APPLICATION NO. 473/2017  
(Dr. Manoj G. Ghadsing V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that the similar matters i.e. O.A. Nos. 421, 422 & 423/2017 are placed on 11.10.2017. Therefore, the present matter be placed on 11.10.2017.

3. Hence, S.O. to 11.10.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 266/2017  
(Shri Sandipan A. Gavali V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri D.K. Rajput, learned Advocate for the applicant (**Absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for respondents, present.

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

3. S.O. to 13.10.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 276/2017  
(Shri Prashant R. Bibrle V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri K.J. Suryawanshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No.

4. Time granted as a last chance.

3. S.O. to 01.11.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 482/2017  
(Shri Mohan R. Chaudhari V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri A.D. sugdare, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

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

3. S.O. to 30.10.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 561/2017  
(Smt. Swati V. Suryawanshi V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri H.V. Patil, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for respondent Nos. 1 & 2 and Shri V.H. Dighe, learned Advocate for respondent No. 3.

2. Learned Presenting Officer has submitted that he will affidavit in reply on behalf of respondent Nos. 1 & 2 during the course of the day.

3. Learned Advocate for respondent No. 3 has filed affidavit in reply. Same is taken on record and the copy thereof, has been served on the other side.

4. S.O. to 09.10.2017. Interim relief granted earlier to continue till then.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**ORIGINAL APPLICATION NO. 572/2017  
(Dr. Dattatray S. Raut V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

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

3. S.O. to 06.10.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**M.A. No. 134/2017 in O.A. St. No. 276/2017  
(Shri Balaji N. Dhondge V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. Issue fresh notices to the respondents in M.A., returnable on 02.11.2017.

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

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

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

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

7. S.O.to 02-11-2017.

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

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. No. 147/2017 in O.A. No. 705/2016  
(Smt. Panchfulabai R. Shirsath V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. Learned Presenting has submitted that he will file affidavit in reply during the course of the day.
3. S.O. to 02.11.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017



**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. No. 202/2017 in O.A. St. No. 322/2017  
(Shri VenkatMarutiraoMethe V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, 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 and 2. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. S.O. to 31.10.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**  
**ORIGINAL APPLICATION NO. 285/2016**  
**(Shri Devidas V. Salgarkar V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri R.R. Bangar, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 & 2 and Shri S.D. Dhongde, learned Advocate for respondent No.3.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the other side.

3. S.O. to 07.11.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. No. 363/2017 in O.A. St. No. 1305/2017  
(Shri Arun B. Joshi V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Learned Presenting Officer relied on the decision of this Tribunal at Principal seat at Mumbai in O.A. No. 837/2016, which has been challenged by the applicant before the Hon'ble High Court, Bombay by filing W.P. No. 2605/2017.

3. Learned Presenting Officer seeks time to produce the copy of decision in O.A. No. 837/2016, as well as, W.P. No. 2605/2017 and the orders passed therein, as the issue decided in that O.A. is similar issue involved in the present O.A. Time granted.

4. S.O. to 09.10.2017.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**M.A. No. 388/2017 in O.A. St. 1436/2017  
(Shri Janardhan T. Adhave V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri E.S. Murge, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Shri M.S. Mhajan, learned Chief Presenting Officer for respondents.

2. The applicants are prayed to direct the respondents to pay them wages as per Notification dated 28.9.2010.

3. It is contention of the applicants that they filed representation dated 23.08.2017 with the respondents and prayed to extend the benefits of Notification dated 28.09.2010. No decision has been taken on the said representation from the respondents till today and therefore, they have filed the present Original Application along with Misc. Application for sue-jointly.

4. The applicant has filed representation on 23.08.2017 with the respondents. The O.A. is

not maintainable in view of the provisions of Section 20 (2)(b) of the Administrative Tribunals Act, 1985, before expiry of six month from the date of representation. The present Original Application is premature. Consequently, it deserves to be rejected.

5. As the O.A. is not maintainable, the same is rejected. Consequently, M.A. for sue-jointly is also rejected. There shall be no order as to costs.

**MEMBER (J)**

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 191/2016**  
(Smt. Bhagyashree H. Sopne V/s. State of Maharashtra &Ors.)

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL,MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Shri S.K. Chavan, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. It transpires from the proceedings that on so many dates i.e. on 31.01.2017, 13.04.2017, 25.07.2017 and 21.08.2017 the applicant, as well as, his Advocate remained absent and today also they are absent. It seems that the applicant is not diligent in conducting the matter.

3. Since the applicant is not interested in prosecuting the O.A, the same is dismissed in default with no order as to costs.

**MEMBER (J)**

**LATER ON :-**

4. Shri M.V. Bharuke, learned Advocate for the applicant appeared. Shri N.U. Yadav, learned Presenting Officer for respondents, present.

5. Learned Advocate for the applicant has submitted that he could not be able to appear before this Tribunal when the matter was called, as he was stuck in traffic. Therefore, he prayed to cancel the order of dismissal passed by this Tribunal earlier.

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O.A. No. 191/2016

6. Considering the submissions made by the learned Advocate for the applicant, the earlier order of dismissal in default of O.A. is hereby cancelled and the O.A. is restored to its original position.

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

8. S.O. to 2.11.2017

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 719/2016  
(Shri Pandurang M. Chandanshiv V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri L.H. Kawale, learned Advocate holding for Shri K.J. Suryawanshi, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent Nos. 1 to 3 and Shri P.D. Suryawanshi, learned Advocate for respondent Nos. 4 & 5.

2. Today, the learned Advocate for respondent Nos. 4 and 5 has placed on record a copy of communication dated 21.09.2017 issued by the Chief Executive Officer, Zilla Parishad, Beed by which they have informed the Treasury Officer, Treasury Office, Beed regarding releasing of Gratuity amount of Rs. 6,22,380/- of the applicant. The said communication is placed on record and marked as Exhibit 'X' for the purposes of identification.

3. Learned Advocate for the applicant has submitted that his main grievance as regards



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O.A. No. 719/2016

gratuity amount is fully satisfied. He will take instructions from the applicant as regards remaining reliefs claimed by him and therefore, he seeks time.

3. S.O. to 15.11.2017.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 500/2016**

**(Shri Saleem Khan Maseed Khan Sukede V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 & 2 and Shri S.B. Mene, learned Advocate for respondent No.3.

2. Today, the learned Advocate for the applicant has placed on record a copy of withdrawal pursis, signed by the applicant, stating that the applicant does not want to proceed with the present Original Application. The applicant is also present in the Court. Said pursis is placed on record and marked as Exhibit 'X' for the purposes of identification. Learned Advocate for the applicant has submitted that the applicant may be given liberty to approach this Tribunal, on fresh cause of action arises.

3. Learned C.P.O. has submitted that necessary order may be passed.

4. Since, the applicant does not want to proceed with the present O.A. and he has filed the withdrawal pursis, the same is disposed of as withdrawn with liberty to the applicant to approach the Tribunal whenever the fresh cause of action arises. There shall be no order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD**

**ORIGINAL APPLICATION NO. 531/2017  
(Shri Dilip R. Gavali V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM :B. P. PATIL, MEMBER (J)**

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 & 4 and Shri Sham Patil, learned Advocate for respondent Nos. 2 & 3.

2. Today, the learned Advocate for the applicant has produced a copy of communication dated 6.9.2017 sent by the Executive Engineer, Nashik Irrigation Division, Nashik to the Accountant General-I (Accounts & Entitlements), Mumbai, informing that all the queries made by the Accountant General has been complied with and the pension papers have been sent to the Accountant General for sanctioning the pension and pensionary benefits to the applicant.

3. Learned Advocate for the applicant has submitted that the purpose of filing of the O.A. is satisfied in view of the said communication and

therefore, he prayed to dispose of the present Original Application with a direction to respondent No. 4 to decide the pension case of the applicant within one month.

4. Learned Presenting Officer and learned Advocate for respondent Nos. 2 & 3 have no objection to dispose of the O.A. with a direction to respondent No. 4 to decide the pension case of the applicant.

5. In view of the submissions made on behalf of the applicant and no objection given by respondents, the Original Application is disposed of with a direction to respondent No. 4 to decide the pension case of the applicant within two months from the date of this order as per the Rules. There shall be no order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 25-09-2017

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

**O.A. NO.427/2017**

**(Kiran Vs. The State of Mah. & Ors.)**

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri N.Y. Kingaonkar, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Shri Kingaonkar, learned Advocate submits that due to some personal problems of Shri Jadhavar, learned Advocate for the applicant amendment is not carried out in the O.A. He submits that by the next the amendment in the O.A. would be carried out and steps for getting fresh notices would be taken. At his request S.O. to 28.9.2017 for carrying out amendment in the O.A.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 495/2017  
(Ganpat Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. With the consent of both the sides, the present O.A. is disposed of at the admission stage itself by this order.

3. The learned Advocate for the applicant submits that the applicant would be satisfied, if the concerned respondent would take decision on the application of the application dtd. 19.12.2016 according to rule 46 (4) of the Maharashtra Civil Services (Pension) Rules, 1982, as per the prayer clause (C) of the O.A.

4. The prayer clause (C) of the O.A. is as follows :-

“(C) The respondent authorities may kindly be directed to consider or decide the request application dtd. 19.12.2016 made by the applicant to join on duty by using power as contemplated in Rule 46 of the

Maharashtra Civil Services (Pension) Rules,  
1982 as early as possible.”

5. The above submission of the learned Advocate for the applicant appears to be reasonable.

6. In the circumstances, the present O.A. is disposed of without any order as to costs with a direction to the concerned respondent to take a decision on the application of the applicant dtd. 19.12.2016 within a period of 3 months from the date of this order.

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

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017



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

**O.A. NO. 511/2017  
(Suryakant Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. The learned C.P.O., on instructions, submits that, the departmental appeal reference of which is made in the order dtd. 28.7.2017 would be decided within a period of one month.

3. In the circumstances, time to take decision on the departmental appeal as well for filing reply of the respondents is hereby granted till 31.10.2017.

4. The learned C.P.O. to act upon the steno copy of this order.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 558/2017  
(Shankar Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. At the request of learned P.O., as a last chance, S.O. to 30.10.2017 for filing affidavit in reply of the respondents.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO.567/2017 WITH MA 39/2017  
(Vijay Vs.The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 2 and Shri V.B. Wagh, learned Advocate for respondent no. 3.

2. Shri VivekPingle, learned Advocate appears and submits that he wants time to file his V.P. on behalf of some private respondents and also to file reply.

3. The learned C.P.O. seeks time for compliance of the order passed by the Tribunal on 23.3.2017.

4. It is to be noted that order dtd. 23.3.2017 which was passed long back and later on finding some lacuna in the meeting of the D.P.C., the

Members of the said D.P.C. were added as party respondents in the present O.A., however, no legal decision on the line of order dtd. 23.3.2017 is taken by the concerned respondents till this date.

5. In the circumstances, as a last chance, S.O. to 13.10.2017 for filing on record the copy of the decision on the line of the order dtd. 23.3.2017 and for filing reply of the added respondents.

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

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 569/2017  
(Anuradha Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. The learned P.O. submits that, during the course of the day the affidavit in reply would be filed and copy thereof would be served upon the learned Advocate for the applicant.

3. In the circumstances, S.O. to 5.10.2017 for hearing on admission as well as on the issue of continuation of the interim relief.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 602/2017  
(Dr. Roopali Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. The learned P.O. seeks time to file affidavit in reply as well as to take instructions from the respondents as to whether they have taken any decision on the notice of voluntary retirement issued by the present applicant (Annex. A.5 page 24) dtd.1.5.2017.

3. In the circumstances, it is hereby directed that, if no decision is taken on the notice of voluntary retirement of the applicant dtd. 1.5.2017 (A.5 page 24), it shall be taken by the concerned respondents by the next date, in default this Tribunal would be constrain to take

coercive action against the concerned respondents.

4. S.O. to 31.10.2017 for communication of the compliance and for filing affidavit in reply by the respondents.

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

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 38/2014  
(Suresh Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri ArunDeshpande, learned Advocate holding for Shri V.D. Gunale, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that, no interim relief was granted in the present matter by which selection and appointment to the post was sought by the applicant. In the meantime, even appointment must have been made rendering the present O.A. infructuous.

3. The learned Advocate for the applicant, however, submits that, he will have to take instructions from the applicant in this regard.

4. It is to be noted that, for last 2 dates none appeared for the applicant, however, in the



interest of justice, at the request of learned Advocate for the applicant, S.O. to 1.11.2-17 as a last chance.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 50/2014  
(MadhukarVs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. It appears that, decision on merit by the Division Bench would be required in the present matter.

3. In the circumstances, the present matter is removed from the Board with a direction to the Office to place it before the Division Bench as and when it is available.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 254/2014  
(Shetal Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri M.B. Kolpe, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 1 to 4 and Shri V.B. Wagh, learned Advocate for respondent nos. 14 & 18. None appears for other respondents.

2. The learned Advocate for the applicant submits that, in view of the judgment of the principal seat of this Tribunal at Mumbai in the similar matter, he wants time to take instructions from the applicant. At his request, S.O. to 8.11.2017.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 693/2017  
(Yogesh Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant submits that, he would prepare the notional list upon deletion of names of the reserved category candidates (Annex. A.4 page 37) and would find out whether the present applicant would be eligible for selection on the basis of the marks obtained by him in the Open category. After filing the said list, necessary decision regarding issuing notices to the respondents would be taken. At the request of learned Advocate for the applicant, S.O. to 28.10.2017 for filing the notional list.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 307/2016  
(Dr. Namdeo Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirshe, learned Presenting Officer for the respondents.

2. the learned Advocate for the applicant seeks time to file rejoinder of the applicant. At his request, S.O. to 1.11.2017 for filing rejoinder.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 15/2014  
(Bipin Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. Upon hearing both the sides, it appears that, decision on merit by the Division Bench would be required in the present matter.

3. In the circumstances, the present matter is removed from the Board with a direction to the Office to place it before the Division Bench as and when it is available.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 733/2016  
(Vithal Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. It appears that the res. no. 4 has already filed reply in the matter. The learned Advocate for the applicant has placed reliance on the judgment delivered by the Division Bench of Hon'ble Bombay High Court, Bench at Aurangabad in the case of **NARAYAN S/O DODHU CHOUDHARY VS. STATE OF MAHARASHTRA AND OTHER** reported at **2005 (2)Mah. L.R. 396 : 2005 (3) Mh. L.J. 693** and submits that the principles of natural justice can also be applied in the present matter. Arguable case is made out.

3. In the circumstances, the present O.A. is admitted.

4. Rest of the respondents may file affidavits in reply.

5. The matter be placed before the Division Bench for final hearing as and when it is available.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017



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

**O.A. NO. 395/2015  
(Rajaram Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri R.R. Bangar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 5. None appears for respondent no. 6.

2. The learned P.O. has filed on record the copies of the decision dtd. 6.12.2016 of the concerned respondents regarding some of the applicants reference of which is made by the Tribunal in its order dtd. 20.7.2017 and copy thereof is supplied to the learned Advocate for the applicants.

3. At the request of learned Advocate S.O. to 5.10.2017 for taking instructions from the applicants or for hearing of the matter.

4. The matter be treated as a part heard.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**O.A. NO. 454/2015  
(Shobha Vs. The State of Mah.&Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. The learned P.O. submits that Shri S.M. Avhad, learned Advocate for the applicant has some difficulty today. In the circumstances, S.O. to 31.10.2017.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 25.9.2017

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

**OA No.689/2017.**

**(Shri Babasaheb N. Andhale V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. Issue notice to the respondents, returnable on 31.10.2017. Considering the case of the present applicant at present Interim Relief in terms of prayer clause "B" is hereby granted until further orders. Prayer clause "B" runs as under :-

"B. Pending the hearing and final disposal of this Original application, the Respondent no.2 may kindly be restrained to give appointment order in favour of the respondent no.3 from the Sports category on the post of Teacher and for that purpose issue necessary order."

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

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

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

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

**7. The Respondent no.2 is directed to go through the purported copy of the application made by Respondent no.3 that, he has not claimed any appointments from Sports category. If the said copy is true then the Respondent no.2 is directed to take the decision and to take corrective steps regarding selection, if any, of the present applicant to the said post and file the report**

**of taking corrective steps on the returnable date. In case the respondents comes to the conclusion that no corrective steps can be taken for any reasons then a short affidavit explaining the reasons be filed on the next date.**

8. S.O. to 31.10.2017.

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

**VICE CHAIRMAN.**

ATP ORAL ORDERS 21-09-2017

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

**MA ST.NO.1301/2017 IN OA ST. NO.1302/2017.  
(Shri AshvameghKathale&Ors.V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. Though the learned Advocate for the applicant has not made submission, it appears that, at page no.85 there is a reference that, after the present applicants were selected only on contract basis for 11 months thereafter there was regular process for selection to the post in the year 2013 and in the said selection process the present applicants have failed.

3. The learned Advocate for the applicants seeks time to go through the pleadings of the present application to this Tribunal as to whether

in any pleading the present applicants have undergone the selection process in the year 2013 is made in the present application or not. At his request, S.O. to 28.09.2017.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 25-09-2017

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

**OA NO.88/2017.**

**(Dr. ShaikhFaizMohammad V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri R. R. Bangar learned Advocate holding for Shri I. D. Mainyar, learned Advocate for the applicant, Shri D. R. Patil, learned Presenting Officer for respondents no.1 to 3 and Shri U. B. Bondar, learned Advocate for the Respondent no.4.

2. Upon hearing both sides it appears that, the present applicant remained absent on his duty as a Medical Officer for a long period while he was under the control of Respondent no.4 i.e. ZillaParishad, The District Health Officer, Latur.

3. The learned Advocate for the respondent no.4 submits that, leave application is directly sent to the Respondent no.1 i.e. The State of Maharashtra. Now, the departmental enquiry is



initiated. During the pendency of the D.E. the present applicant appears to have sent an application for Voluntary Retirement, which according to the learned Advocate Mr. Bondar, is not even in Format. In the circumstances, vide order dated 7.7.2017 the applicant was directed to satisfy the above query. The learned Advocate for the applicant however, today seeks time.

4. It is to be noted that, already three dates were granted. Considering all these facts, as a last chance, S.O. to 06.11.2017 either for satisfying the above query or for passing necessary orders.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 25-09-2017

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

**OA NO.108/2017.  
(Shri K. P. Shinde V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. The learned P.O. seeks time to file short affidavit as directed earlier vide order dated 2.8.2017. It is to be noted that, one chance in the meantime was already granted. In the circumstances, as a last chance, S.O. to 31.10.2017 for compliance. Upon failure the Tribunal would be constrained to take coercive action as may be deemed fit.

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

**VICE CHAIRMAN.**

ATP ORAL ORDERS 25-09-2017

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

**OA NO.34/2017.**

**(Shri C. B. Tayade V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri R. B. Bhosale learned Advocate holding for Shri B. R. Kedar learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for respondents.

2. The learned P.O. seeks time to file reply of Respondents no.1, 3 & 4. It is to be noted that, no such request was made earlier though the notices were issued in the month of February, 2017. In the circumstances, as a last chance time to file reply is hereby granted.

3. S.O. to 31.102.2017 for filing reply of other respondents as a last chance.

**VICE CHAIRMAN.**

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

**OA NO.224/2017.**

**(Shri D. K. Taru V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri A. S. Shelke, learned Advocate for the applicant, Shri M. S. Mahajan, learned Chief Presenting Officer for respondents no.1 & 2 and Shri S. G. Rudrawar, learned Advocate for the Respondent no.3.

2. The learned Advocate for the applicant seeks time to file rejoinder. The learned Advocate for the Respondent no.3 submits that, interim relief is continued against the Respondent no.3 for the reasons that, reply was not filed. In the circumstances, as a last chance time to file rejoinder as well as for hearing interim relief is hereby granted till 31.10.2017. Interim relief to continue till then.

**VICE CHAIRMAN.**

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

**OA NO.301/2017.**

**(Dr. SeemaPanad V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri V. B. Wagh learned Advocate for the applicant, Shri D. R. Patil, learned Presenting Officer for respondents no.1 & 2 and Smt. J. S. Aute, learned Advocate holding for Shri B. S. Mundhe learned Advocate for the Respondent no.3.

2. The learned C.P.O. submits that, the legal opinion would be taken and a conscious decision as to whether the impugned decision would be replaced by the competent authority can be taken within a short period. At his request, S.O. to 12.10.2017 for taking decision and communication of the same.

3. Since there is no interim relief Mr. Wagh

learned Advocate for the applicant submits that, post is vacant the decision be taken positively. In absence the case for grant of interim relief would be considered.

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

**VICE CHAIRMAN.**

ATP ORAL ORDERS 25-09-2017

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

**OA NO.143/2017.  
(Shri U. R. Naglot V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. The learned P.O. submits that, the affidavit in reply of Respondent no.1 would be filed during course of the day. Copy be served to other side.

3. The learned P.O. files a copy of the decision via communication between the Director and the Desk Officer of the Govt. of Maharashtra, reference of which is made in order dated 20.9.2017. The same is accepted and marked as document "X" for the purpose of identification. Copy supplied to the learned Advocate for the applicant.

3. S.O. to 01.11.2017 for hearing on admission.

**VICE CHAIRMAN.**

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

**ORIGINAL APPLICATION NO.466/2016.  
(Shri Sandeep Balasaheb Kakandikar & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Shri S. D. Dhongde, learned Advocate for the applicants and Shri D. R. Patil, learned Presenting Officer for respondents.

2. The learned Advocate for the applicants submits that, the grievance of the present applicant is redressed. Therefore, the applicant wants to withdraw the present application. Pursis in this regard is filed today. The same is accepted. Accordingly, the O.A. is disposed of, as withdrawn, with no order as to costs.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 25-09-2017



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

**OA NO.517/2017.**

**(Shri A. S. Kulkarni V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant files rejoinder. The same is accepted. Copy be served on the other side.

3. S.O. to 05.10.2017 for hearing on admission. Interim relief to continue till then.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 25-09-2017

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

**OA Nos.825, 864, 865, 866 & 867 of 2016.**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**COMMON ORAL ORDER :**

None present for the applicants in all the matters. Shri V. R. Bhumkar, learned Presenting Officers for respondents in all the matters.

2. The learned P.O. submits that, the reply of other respondents no.1 to 3 is not necessary as respondent no.4 has already filed reply.

3. On 6.9.2017 the learned Advocate for the applicants has made submission that, in O. A.No.865 of 2016 the departmental appeal is already heard and the decision is expected.

4. In view of the absence of the learned Advocate for the applicants, S.O. to 01.11.2017 for hearing on admission as well as further submissions in OA No.865 of 2016 on the line of the order dated 06.09.2017.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 25-09-2017

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

**OA NO.750/2016.  
(Shri J. S. Maher V/s. State of Maharashtra &Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M. T. JOSHI, V. C.**

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

**DATE : 25.09.2017.**

**ORAL ORDER :**

Heard Miss AshleshaRaut learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant, Shri M. S. Mahajan, learned Presenting Officer for respondents, Shri S.B. Patil learned Advocate for the Respondents no.2 & 3 and Shri Shelke learned Advocate for the Respondent no.4.

2. Miss AshleshaRaut learned Advocate holding for Shri S. B. Talekar learned Advocate for the applicant seeks time to file rejoinder. At her request, S.O. to 01.11.2017 for filing rejoinder.

**VICE CHAIRMAN.**

ATP ORAL ORDERS 25-09-2017

