ORIGINAL APPLICATION NO. 419/2018 with CAVEAT ST. 786/2018 (Shri Rajendra P. Bagade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B.P.PATIL, MEMBER (J) <u>DATE</u> : 27.08.2018.

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos. 1 to 3. Shri G.M. Shingare, learned Advocate holding for Shri N.L. Jadhav, learned Advocate for respondent No. 4.

2. Learned Chief Presenting Officer has placed on record a copy of the communication dated 14.08.2018 received to him from the Collector, Aurangabad. Same is taken on record.

3. Learned Advocate for the applicant has placed on record a copy of the notification regarding creation of new Revenue Circles. Same is taken on record.

4. Learned Advocate for the applicant has submitted that since the Collector, Aurangabad has submitted his reply regarding creation of new Revenue Circles, the applicant may be considered for posting as Circle Officer at Pandharpur Circle, Dist. Aurangabad.

5. Learned C.P.O. has submitted that at present it is not possible to accommodate the applicant for want of creating of post and budgetary provision for the same.

At the request of learned Advocate for the respondent No. 4 the matter is fixed for hearing,
S.O. to 04.09.2018.

KPB ORAL ORDER 27-08-2018

M.A. No. 86/2018 in O.A. St. No. 204/2018 (Shri Bhagwan L. Sangale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

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

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

3. S.O. to 19.09.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 625/2018

(Shri Subhash G. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

DATE : 27.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 12.10.2018.

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. S.O. 12-10-2018.

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

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 628/2018 (Smt. Sheelabai B. Bahirao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 12.10.2018.

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. S.O. 12-10-2018.

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

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 641/2018 (Shri Balam A. Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 12.10.2018.

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. S.O. 12-10-2018.

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

MEMBER (J)

ORIGINAL APPLICATION NOS. 629 & 630 BOTH OF 2018 (Dr. Rahul C. Dadas V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

Heard Shri J.S. Deshmkh, learned Advocate for the applicants in both the O.As. and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents in both the O.As.

2. Learned Advocate for the applicants has submitted that the applicants want to challenge the notification dated 28.04.2015 and therefore, he wants to amend the prayer clause 20(b) of the O.As. suitably. Therefore, he seeks leave of this Tribunal to amend the O.As.

3. Leave as prayed for by the applicants is granted. The applicants shall amend the O.As. within a period of one week.

4. Hence, the present matters is removed from the board and it be kept after carrying out the necessary amendment.

MEMBER (J)

M.A. No. 306/2018 in O.A. St. No. 1431/2018 (Smt. Indira A. Maind & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER :

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

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 1431/2018 (Shri Indira A. Maind & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 11.10.2018.

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. S.O. 11-10-2018.

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

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 202/2017 (Shri Ashok B. Wagh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

Shri A.S. Shelke, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. At the request of learned Presenting Officer,

S.O. to 10.09.2018.

MEMBER (J)

O.A. 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 : 27.08.2018.

ORAL ORDER :

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

2. At the request of learned Chief Presenting Officer, S.O. to 06.09.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 424/2017 (Shri Sheshrao R. Kharate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

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

2. Issue notices to the newly added respondent No. 4, returnable on 03.10.2018.

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. S.O. 03-10-2018.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 526/2017 (Smt. Meghmala G. Pallewad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018.

ORAL ORDER:

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

Pleadings are complete. Hence, the present
O.A. is admitted and it be kept for final hearing
on 10.10.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 770/2017 (Smt. Ayesha F. Khan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

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

2. On perusal of the documents i.e. the suspension order dated 16.12.2016 it reveals that the said order has been forwarded to the office of Deputy Regional Transport, Beed on the very day from the office of Deputy Commissioner of Transport, Mumbai, but the affidavit in reply of respondent Nos. 1 to 3 is silent when it was served on the applicant.

3. The respondents are directed to produce document to show as to when the order of suspension dated 16.12.2016 was served on the applicant and to file short affidavit in that regard on or before the next date.

4. S.O. to 11.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 776/2017 (Shri Moni V. Varghese V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file sur-rejoinder to the rejoinder affidavit filed by the applicant. Time granted.

3. S.O. to 12.10.2018.

KPB ORAL ORDER 27-08-2018

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

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018.

ORAL ORDER :

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

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

3. S.O. to 07.09.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 155/2018 (Shri Arjun D. Kharat V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018.

ORAL ORDER :

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

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

3. S.O. to 04.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 158/2018 (Dr. Yogesh U. Sathe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

Shri Ajay Deshpande, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, present.

2. No rejoinder affidavit has been filed by the applicant.

3. As none present for the applicant, S.O. to 21.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 358/2018 (Shri Haseeb Ur Rehman Khan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

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

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

3. S.O. to 25.09.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 359/2018 (Shri Sunil M. Bandawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018.

ORAL ORDER:

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

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

3. S.O. to 25.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 360/2018 (Shri Md. Abdul Sami V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018.

ORAL ORDER :

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

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

3. S.O. to 25.09.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 361/2018 (Shri Anil G. Tornekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

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

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

3. S.O. to 25.09.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 384/2018 (Smt. Panchphulabai R. Shirsath V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

Heard Shri A.D. Sugdare, 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 Nos. 2 to 5. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Presenting Officer has submitted that there is no need to file affidavit in reply on behalf of respondent No. 1.

4. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 21.09.2018.

ORIGINAL APPLICATION NO. 390/2018 (Shri Babu B. Dandegaonkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

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

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

3. S.O. to 11.09.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 411/2018 (Shri Sk. Yakub Sk. Ahemad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that he will file the affidavit in reply during the course of the day.

3. S.O. to 19.09.2018.

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 451/2018 (Shri Bhagwat N. Pujari V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

Heard Shri R.B. Ade, learned Advocate holding for Smt. Vinaya Mule-Dharurkar, 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 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 19.09.2018.

MEMBER (J) KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 529/2018 (Shri Santosh B. Disale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

Shri S.S. Deshmukh, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, present.

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

3. S.O. to 12.10.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 468/2018 (Shri Ravikiran M. Ghante V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

Heard Shri A.T. Jagtap, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondent Nos. 1 & 2.

 Learned Advocate Shri Pankaj Bharat, has filed VAKALATNAMA on behalf of respondent No.
Same is taken on record. He seeks time to file affidavit in reply. Time granted.

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

4. S.O. to 08.10.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 565/2018 (Smt. Shridevi T. Suryawanshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

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

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

3. S.O. to 11.09.2018.

KPB ORAL ORDER 27-08-2018

M.A. No. 188/2017 in O.A. St. No. 495/2017 (Smt. Anjali G. Khedkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate holding for Shri S.B. Kakde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Gate, learned Presenting Officer for respondents Nos. 1 & 2. Shri S.B. Mene, learned Advocate for respondent Nos. 3 to 5 (**Leave Note**).

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of the respondents Nos. 1 & 2 in M.A. Time granted as a last chance.

3. S.O. to 26.09.2018.

MEMBER (J)

M.A. No. 182/2018 in O.A. St. No. 789/2018 (Shri Chandrakant M. Choudante V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 27.08.2018.

ORAL ORDER :

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

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

3. S.O. to 24.09.2018.

MEMBER (J)

M.A. No. 239/2018 in O.A. St. No. 1098/2018 (Shri Kisan M. Adsul V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER:

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

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

3. S.O. to 01.10.2018.

KPB ORAL ORDER 27-08-2018

MEMBER (J)

M.A. No. 231/2018 in O.A. St. No. 1065/2018 (Shri Majid I. Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J).

<u>DATE</u> : 27.08.2018.

ORAL ORDER :

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

2. No steps have been taken by the applicant for service of respondent Nos. 2 & 4.

3. S.O. to 01.10.2018.

MEMBER (J)

KPB ORAL ORDER 27-08-2018

M.A. No. 16/2018 in O.A. No. 172/2017 (Shri Taher Ali Shah V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. <u>ORAL ORDER</u> :

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

2. No affidavit in reply has been filed by the respondents in M.A.

3. For the reasons and grounds mentioned in paragraph no. 2 of the Misc. Application No. 16/2018, the M.A. is allowed. The order of dismissal passed in O.A. 172/2017 on 12.12.2017 is recalled. The O.A. No. 172/2017 is restored to its original number.

4. Accordingly, the M.A. No. 16/2018 is allowed with no order as to costs.

MEMBER (J)

KPB ORAL ORDER 27-08-2018

ORIGINAL APPLICATION NO. 172/2017 (Shri Taher Ali Shah V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.08.2018.

ORAL ORDER:

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

2. In view of the order passed in M.A. No. 16/2018 on 27.08.2018, the O.A. No. 172/2017 is restored to its original number. Issue fresh notices to the respondents, returnable on 12.10.2018.

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. S.O. 12-10-2018.

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

KPB ORAL ORDER 27-08-2018

MEMBER (J)

O.A. Nos. 644, 646, 647, 648 and 649 All of 2018 (Shri Ganesh S. Markad & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.08.2018.

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate for the applicants in O.A. Nos. 644 & 646 both of 2018, Shri A.S. Deshmukh, learned Advocate for the applicants in O.A Nos. 647, 648 & 649 all of 2018 and S/shri M.S. Mahajan, S.K. Shirse & Smt. Priya R. Bharaswadkar, learned Chief Presenting Officer and Presenting Officers for respondents in respective O.As.

2. At the request of learned Chief Presenting Officer, S.O. to 28.08.2018.

MEMBER (J)

KPB ORAL ORDER 27-08-2018

M.A. No. 489/2017 in O.A. St. No. 1715/2017 (Dr. Suresh M. Karamunge V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 27.08.2018.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that on 12.06.2018 this Tribunal has granted leave to amend the O.A. He has submitted that in fact, the applicant intends to amend the present M.A. No. 489/2017, but it has been inadvertently submitted by him on 12.06.2018 that he wants to amend the O.A. and therefore, the order came to be passed. Therefore, accordingly he prayed to modify the order dated 12.06.2018 passed by this Tribunal.

3. In view of the submissions made by the learned Advocate for the applicant, the order dated 12.06.2018 is hereby modified and the applicant is permitted to amend the M.A. instead of O.A. subject to payment of costs of Rs. 2000/-.

4. Learned Advocate for the applicant has submitted that the amount of costs has already been deposited by the applicant.

 In view of this, leave to amend the M.A. No.
489/2017 is granted. The applicant shall amend the M.A. within a period of one week.

6. Hence, the present matter is removed from the board and it be kept after carrying out the necessary amendment by the applicant.

KPB ORAL ORDER 27-08-2018

MEMBER (J)

ORIGINAL APPLICATION NO. 925/2017 (Shri Mahadeo B. Khandare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : B. P. PATIL, MEMBER (J). <u>DATE</u> : 27.08.2018. ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for respondents.

2. The applicant has filed the present Original Application for regularization of his suspension period and to grant all consequential benefits in view of the conclusion of the Departmental Enquiry, as well as, his acquittal in the Criminal Case.

3. The respondents have contended that they have challenged the order of acquittal of the applicant by preferring an appeal bearing Criminal Appeal No. 385/2017 before the Hon'ble High Court, Bench at Aurangabad and therefore, the claim of the applicant has not been considered.

//2// O.A. No. 925/2017

4. Learned Advocate for the applicant has submitted that the applicant has moved the representations dated 10.07.2017 and 05.10.2017 before the respondents claiming regularization of his suspension period and to grant consequential financial benefits to him. She has submitted that in spite of the acquittal of the applicant in the criminal case, the respondents have not decided the representations of the applicant since long and therefore, the applicant has approached this Tribunal by filing the present Original Application.

5. Learned Presenting Officer has submitted that as the appeal against the acquittal of the applicant in criminal case has been pending before the Hon'ble High Court, Aurangabad, the respondents have not taken decision on the representations of the applicant.

6. On perusal of the record, it reveals that the applicant has been acquitted in Special (ACB) Case No. 03/2011 by the Additional Judge and Special Judge at Nanded. The Departmental Enquiry has been concluded thereafter. After conclusion of the Departmental Enquiry, the

//3// O.A. No. 925/2017

applicant has approached the respondents with a request for regularization of his suspension period and consequential benefits by filing the representations dated 10.07.2017 and 05.10.2017, but the respondents have taken decision on it. The representations are still pending with the respondents.

7. In view of this, it is just and proper to direct the respondents to take appropriate decision on the representations dated 10.07.2017 and 05.10.2017, on merit as per the rules within a period of two months from today.

8. In view of this, the O.A. is disposed of with a direction to the respondent Nos. 1 & 2 to take appropriate decision on the representations dated 10.07.2017 and 05.10.2017 filed by the applicant on merit as per the rules within a period of two months from the date of this order and communicate the decision therein to the applicant in writing. There shall be no order as to costs.

FARAD CONTINUATION SHEET

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, AURANGABAD BENCH, AURANGABAD

ORIGINAL APPLICATION NO. 810 OF 2017 (Shri Shaligram M. Sonawane V/s. State of Maharashtra & Ors.)

(Shri Shaligram M. Sonawane V/s. State of Manarashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : ATUL RAJ CHADHA, MEMBER (A) (This matter is placed before the Single Bench due to non-availability of Division Bench.)

<u>DATE</u> : 27.08.2018 <u>ORAL ORDER</u> :

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

2. Learned Presenting Officer has filed additional affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Presenting Officer submits that the respondent No. 2 is adopting additional affidavit in reply filed by respondent No. 3 today.

4. The present case be kept for hearing before the Division Bench on 6th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 38 OF 2018 (Shri Suresh D. Shirsat V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

<u>DATE</u> : 27.08.2018

ORAL ORDER :

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

2. Learned Presenting Officer for the respondents submits that the departmental enquiry initiated against the applicant has been completed and the punishment has been imposed on the applicant by an order dated 31.5.2018.

3. Learned Advocate for the applicant submits that the necessary directions be given for submitting the pension papers.

4. By consent of both the parties, the directions are issued to the respondents that all the formalities regarding grant of pension may be completed within a period of 3 months from the date of this order.

5. With the above directions the present Original Application stands disposed of with no order as to costs.

MEMBER (A)

ORIGINAL APPLICATION NO. 525 OF 2018 (Dr. Sunita B. Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 1st October, 2018 for filing affidavit in reply.

MEMBER (A)

ORIGINAL APPLICATION NO. 526 OF 2018 (Dr. Prachi K. Haridas V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 1st October, 2018 for filing affidavit in reply.

MEMBER (A)

ORIGINAL APPLICATION NO. 527 OF 2018 (Dr. Hanumant D. Pakhre V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 1st October, 2018 for filing affidavit in reply.

MEMBER (A)

ORIGINAL APPLICATION NO. 514 OF 2018 (Shri Sahebrao G. Avhad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>COR</u>AM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

Shri Mahesh S. Taur, learned Advocate for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

 At the request of learned Presenting Officer for the respondents, S.O. to 28th September, 2018 for filing affidavit in reply.

MEMBER (A)

O.A.NO. 509/2018 & O.A.NO. 562/2018 (Shri Ismail Abdul Tamboli & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

Shri Abhishek R. Avachat, learned Advocate for the applicants in both the cases (**absent**). Shri M.S. Mahajan & Mrs. Priya R. Bharaswadkar, learned Chief Presenting Officer & learned Presenting Officer for the respective respondents in respective cases.

2. Shri Ravindra Vitthal Jewre, applicant in person in O.A. No. 562/2018 appeared personally today and submits that Advocate Shri Abhishek R. Avachat could not come from Mumbai today and seeks time. Time granted.

3. S.O. to 28th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 484 OF 2018 (Shri Rama L. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent No. 1. None appears for respondent No. 2 and no affidavit in reply filed on his behalf.

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

3. At the request of learned Advocate for the applicant, S.O. to 25th September, 2018 for filing rejoinder, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 483 OF 2018 (Dr. Balasaheb D. Deshmukh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

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

2. Learned Presenting Officer submits that the affidavit in reply is prepared and seeks time to file the same. Time granted.

3. S.O. to 14th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 289 OF 2018 (Shri Suraj S. Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER:

Heard Shri Ganesh V. Mohekar, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

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

3. S.O. to 26th September, 2018. Interim relief granted earlier to continue till then.

MEMBER (A)

M.A.28/18 IN O.A.519/17 WITH M.A.29/18 IN O.A.520/17 WITH M.A.30/18 IN O.A. 949/17 WITH O.A.521/17 WITH O.A. 480/17 (Shri Jitsingh L. Pardeshi & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : ATUL RAJ CHADHA, MEMBER (A)

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

<u>DATE</u> : 27.08.2018

ORAL ORDER :

None appears for the applicants. Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases, present.

2. Learned Presenting Officer for the respondents submits that many similar cases are transferred to Principal Seat of this Tribunal at Mumbai.

3. Since Division Bench is not available and none appears for the applicants, S.O. to 10th October, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 267 OF 2014 (Shri Hirasingh T. Manza V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

Shri Amit A. Mukhedkar, learned Advocate for the applicant (**absent**). Shri B.S. Devkar, learned Presenting Officer for the respondent Nos. 1 to 4. Shri T.V. Patil, learned Advocate for respondent No. 5 (**absent**).

2. Since Division Bench is not available and none appears for the applicant, S.O. to 24th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 549 OF 2014 (Shri Dattatraya V. Shounak V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : ATUL RAJ CHADHA, MEMBER (A) (This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 27.08.2018

ORAL ORDER:

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

 Since Division Bench is not available, S.O. to 18th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 659 OF 2014 (Shri Sachin R. Kasar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>COR</u>AM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

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

Since Division Bench is not available, S.O.
to 19th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 600 OF 2014 (Shri Amolsinh P. Gour V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>COR</u>AM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

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

2. Since Division Bench is not available and none appears for the applicant, S.O. to 21st September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 44 OF 2015 (Sow Sulbha A. Dnyate V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER**

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A) (This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 27.08.2018

ORAL ORDER :

Heard Mrs. Snehal J. Kulkarni, learned Advocate for the applicant and Shri B.S. Devkar, learned Presenting Officer for the respondents.

2. Since Division Bench is not available, S.O. to 21st September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 130 OF 2017 (Smt. Priyanka A. Dongre V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.08.2018

ORAL ORDER :

Heard Smt. S.V. Salunke, learned Advocate holding for Shri Sudhir K. Chavan, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for respondent No. 5.

Since Division Bench is not available, S.O.
to 18th September, 2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 577/2018 (Girish W. Bholane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

<u>DATE</u> : 27.8.2018

ORAL ORDER :

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

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

3. Upon hearing both the sides and on going through the documents of O.A., it appears that the present O.A. has been filed by the applicant without filing departmental appeal against the impugned order dtd. 5.4.2018 (Exh. P page 85) passed by the disciplinary authority. Thus, the O.A. is premature.

4. In the circumstances, the applicant may explore the possibilities of filing departmental appeal against the impugned order dtd. 5.4.2018 under rule 17 of M.C.S. (Discipline & Appeal) Rules, 1979, within three months. If the departmental appeal of the applicant is not permissible within 3 months, he is at liberty to approach this Tribunal afresh.

5. By way of interim prayer (B), which is reproduced herein below, the respondents are directed to settle the provisional pension of the applicant within one month from the date of this order.

"(B) This Honourable Tribunal may be pleased to direct the respondents to issue provisional pension and arrears of pension with effect from 1.3.2016 till the final disposal of original application."

6. With the above observations & directions, the present O.A. is disposed of at the admission stage itself without any order as to costs.

MEMBER (A)

ARJ ORAL ORDERS 27-8-2018

ORIGINAL APPLICATION NO. 615/2018

(Desai T. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER:

Heard Smt. Nayana Gautam, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks one week's time for filing M.A. for condonation of delay caused in the filing the present O.A. She is permitted to do so. S.O. to 10.9.2018.

MEMBER (A)

ARJ ORAL ORDERS 27-8-2018

ORIGINAL APPLICATION NO. 627/2018 (Amol B. Chaudhari V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER**

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

:27.8.2018 DATE

ORAL ORDER :

Heard Shri Suresh Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. before admission Issue notice the to respondents in the present O.A., returnable on 28.9.2018.

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 0.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 28.9.2018.

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

MEMBER (A)

ARJ ORAL ORDERS 27-8-2018

ORIGINAL APPLICATION NO. 631/2018 (Chudaman D. Pawar V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER**

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

:27.8.2018 DATE

ORAL ORDER :

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

2. before admission Issue notice to the respondents in the present O.A., returnable on 28.9.2018.

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 0.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 of the Maharashtra Administrative Tribunal 11 (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 28.9.2018.

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

MEMBER (A)

ARJ ORAL ORDERS 27-8-2018

ORIGINAL APPLICATION NO. 439/2010 (Dilip S. Karle V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER :

Heard Smt. Nayana Gautam, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. seeks time for compliance of the order of the Tribunal dtd. 19.7.2018. Time granted. S.O. to 26.9.2018.

MEMBER (A)

ARJ ORAL ORDERS 27-8-2018

ORIGINAL APPLICATION NO. 345/2017 (Abhiman M. Kale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Shamsunder B. Patil, learned Advocate for respondent no. 4.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 582/2017 (Sanjay B. Kokate & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

<u>DATE</u> : 27.8.2018

ORAL ORDER :

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

2. Learned P.O. files on record regular affidavit in reply & additional reply of res. no. 3. The same are taken on record and copies thereof have been served upon the learned Advocate for the applicant. He submits that some time may be granted for filing reply of the res. no. 1. Time granted as prayed for. S.O. to 14.9.2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 702/2017 (Sachin A. Bachkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

<u>DATE</u> : 27.8.2018

ORAL ORDER :

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

2. Learned Advocate for the applicant files on record rejoinder of the applicant to the reply of res. nos. 4 & 6. It is taken on record and copy thereof has been served upon the learned P.O.

3. Learned P.O. seeks time to file reply of res. nos.1 to 3 & 5. Time granted. S.O. to 26.9.2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 736/2017 (Sanjay U. Kale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER :

Heard Shri H.P. Bondar, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the interim relief granted by the Tribunal vide order dtd. 10.10.2017 may be continued, without any argument in his favour. It appears that by the said order this Tribunal has granted interim relief in terms of prayer clause (10) 'C' of the O.A. until further order. Thus, it reveals that the learned Advocate has even not gone through the earlier order of this Tribunal by which interim relief has been granted in favour of the applicant until further order and, therefore, he has made a submission today that the interim relief granted earlier to continue till next date.

3. In the circumstances, S.O. to 29.8.2018 for hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 957/2017

(Madan D. Dube V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE :27.8.2018

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent no. 1 and Shri Shamsunder Β. Patil. learned Advocate for respondent nos. 2 & 3.

2. Learned Advocate for res. nos. 2 & 3 seeks time of one week to file reply. Res. no. 1 has already filed reply in this case. In the circumstances, S.O. to 12.9.2018 for filing reply by res. nos. 2 & 3.

MEMBER (A)

ORIGINAL APPLICATION NO. 28/2018 (Shashank B. Kamble V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER :

None appears for the applicant. Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 & 2, is present. None appears for respondent nos. 3 to 5.

2. Though it was decided vide order dtd. 17.7.2018 that with consent of both the sides the matter be placed for hearing, the reply of res. nos. 3 to 5 is awaited.

3. In the circumstances, S.O. to 14.9.2018 for filing reply of the res. nos. 3 to 5 & also for hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 115/2018 (Nagnath G. Savant V/s. State of Maharashtra & Ors.)

(Nagnath G. Savant V/S. State of Manarashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER:

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 & 2. None appears for respondent no. 3.

2. At the request of learned P.O., S.O. to 14.9.2018 for filing reply of res. nos. 1 & 2.

MEMBER (A)

ORIGINAL APPLICATION NOS. 191, 192 & 196/2018 (Vilas N. Salunke & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

<u>DATE</u> : 27.8.2018

ORAL ORDER :

Heard Smt. S.V. Salunkhe, learned Advocate holding for Shri S.K. Chavan, 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. Learned P.O. submits that reply on behalf of res. nos. 3 & 4 is filed in O.A. no. 192/2018. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. Learned P.O. submits that, she will take necessary instructions from res. nos. 1 & 2 whether they would like to file reply in this case. At her request, S.O. to 18.9.2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 138/2018 (Tushar B. Chikhale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

<u>DATE</u> : 27.8.2018

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate holding for Shri H.K. Mundhe, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

At the request of learned P.O., as a last chance,
S.O. to 27.9.2018 for filing reply of the respondents.

MEMBER (A)

ORIGINAL APPLICATION NO. 285/2018

(Meera J. Dolas V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER :

Heard Smt. Bharti Sathe, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant S.O. to 29.8.2018 for taking instructions from her senior.

MEMBER (A)

ORIGINAL APPLICATION NOS. 453/2018 (Balasaheb R. Mendhekar & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

<u>DATE</u> : 27.8.2018

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Shri G.V. Mohekar, learned Advocate submits that Shri S.S. Dambe, learned Advocate is under instructions to appear for res. nos. 5 to 12 in the present matter and he seeks time to file reply on behalf of res. nos. 5 to 12. Learned C.P.O. submits that he is going to file reply of res. authorities during the course of the day. He is permitted to do so.

3. S.O. to 1.10.2018.

MEMBER (A)

ORIGINAL APPLICATION NOS. 454/2018 (Balaji B. Budhwant V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 4. None appears for other respondents except respondent no. 25, who has filed reply by appearing in person. It is taken on record and copy thereof has been served upon other sides.

2. S.O. to 1.10.2018.

MEMBER (A)

ORIGINAL APPLICATION NOS. 458/2018 (Anita B. Kolgane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : ATUL RAJ CHADHA, MEMBER (A) (This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 27.8.2018

ORAL ORDER:

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. has filed reply of res. nos. 4. It is taken on record and copy thereof has been served upon other side. S.O. to 1.10.2018 for filing reply of other respondents.

MEMBER (A)

M.A. 509/2017 IN O.A. ST. 1671/2017 AND M.A. 510/2017 IN O.A. ST. 1672/2017

AND M.A. 511/20-17 IN O.A. ST. 1673/2017

(Sambhaji S. Patil & Ors. V/s. State of Maharashtra & Ors.) _____

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

DATE : 27.8.2018

ORAL ORDER :

Heard Shri N.K. Choudhari, learned Advocate for the applicants in all these matters and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents in all these matters.

2. At the request of learned P.O., as a last chance, S.O. to 25.9.2018 for filing reply of the respondents.

MEMBER (A)