

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

**ORIGINAL APPLICATION NO. 429 OF 2017
(Shri Krushna Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri F.R. Tandle, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant submits that he will have to go through the affidavit in reply and make his submissions.

3. At his request, S.O. to 26th September, 2017. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 872 OF 2016
(Shri Salim Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for Respondent Nos. 1 & 2 and Shri S.D. Dhongde – learned Advocate for respondent Nos. 3 to 5.

2. Learned Advocate for the respondent Nos. 3 to 5 submits that due to communication gap the order passed by this Tribunal dated 28th July, 2017 could not be implemented.

3. In the circumstances, at his request S.O. to 26th September, 2017 for compliance of order dated 28th July, 2017.

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 583 OF 2014
(Shri Bhausahab Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

Shri S.S. Thombre, learned Advocate for the applicant (**absent**), Shri D.R. Patil, learned Presenting Officer for the respondent No. 1 to 4, present. Shri A.C. Deshpande – learned Advocate for respondent Nos. 5 & 6 (**absent**).

2. Upon hearing the learned Presenting Officer for respondent Nos. 1 to 4, it appears that the decision on merit would be required.

3. In the circumstances, the present case be removed from the board and it be placed before the Division Bench, as and when it is available.

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 575 OF 2014
(Shri Deepak Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that certain subsequent events, which required to be brought on record, which came to the knowledge of the present applicant upon securing the documents under Right to Information Act. In the circumstances, liberty is hereby granted to the applicant to file affidavit in rejoinder along with certain documents.

3. Upon hearing both the sides, it appears that the decision on merit would be required.

3. In the circumstances, the present case be removed from the board and it be placed before the Division Bench, as and when it is available.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 551 OF 2014
(Shri Santosh Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

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

2. Upon hearing both the sides, it appears that the decision on merit would be required.

3. In the circumstances, the present case be removed from the board and it be placed before the Division Bench, as and when it is available.

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 559 OF 2014
(Dr. Ajit Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

Shri V.B. Deshmukh, learned Advocate for the applicant (**absent**), Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. Upon hearing the learned Presenting Officer for the respondents, it appears that the decision on merit would be required.

3. In the circumstances, the present case be removed from the board and it be placed before the Division Bench, as and when it is available.

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

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

**M.A.NO. 319/2017 IN O.A.NO. 169/2017
(Shri Santosh Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer submits that by way of the present amendment application, the applicant is seeking to add only the decision rendered by the respondent No. 2 in Revision Petition. The reasons in the Revision Petition are already given for dismissal of the Revision Petition. No separate affidavit in reply is required.

3. In the circumstances, the application is allowed without any order as to costs.

4. The amendment will be carried out on or before the next date.

5. S.O. to 20th September, 2017 for carrying out the necessary amendment in the O.A.

VICE CHAIRMAN

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

**M.A.358/17 IN C.P.ST.1261/17 IN O.A. 801/15
(Smt. Yasmin Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate
for the applicant and Shri D.R. Patil, learned
Presenting Officer for the respondents.

2. S.O. to 4th September, 2017.

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 210 OF 2017
(Shri Ramesh Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

Shri Balaji B. Yenge, learned Advocate for the applicant (**absent**). Shri Ramesh Babulal Pimple, applicant in person present. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, present.

2. At the request of learned Chief Presenting Officer as a last chance S.O. to 20th September, 2017 for compliance with the earlier order with a caveat that in case no compliance is made by the respondents, this Tribunal may be constrained to take coercive action including saddling of heavy costs upon the erring officer.

3. S.O. to 20th September, 2017 for compliance of earlier order.

4. Learned Chief Presenting Officer shall act upon the steno copy.

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 622 OF 2017
(Shri Sagar Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that certain documents remained to be filed in the present Original Application and sought liberty to file the same.

3. In the circumstances, liberty is granted to the learned Advocate for the applicant to file certain documents, which are part of the Original Application.

4. S.O. to 6th September, 2017.

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 507 OF 2017
(Shri Pralhad Vs.The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE SHRI M.T. JOSHI,
VICE CHAIRMAN**

DATE : 01.09.2017.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 4th October, 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 O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week.

O.A. NO. 507 OF 2017

Applicants are directed to file Affidavit of compliance and notice.

7. The respondents are directed to file affidavit in reply within a period of four weeks.

8. S.O. to 4th October, 2017.

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

VICE CHAIRMAN

ORAL ORDERS 01.09.2017-HDD

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

**ORIGINAL APPLICATION NO.313/2017
(Shri Tulshiram Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri Praful Bodade learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

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

3. S.O. to 21-09-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.407/2017
(Shri Nilesh Wakode V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri Praful Bodade learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

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

3. S.O. to 21-09-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.654/2016
(Shri Murlidhar Suryavanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri R.P.Adgaonkar learned Advocate for the applicant is **absent**. Shri S.K.Shirse learned Presenting Officer for respondents is present.

2. Since none is present for the applicant, S.O. to 26-09-2017 for passing appropriate order.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.69/2017
(Shri Amarsing Kamthekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri H.V.Tungar learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Learned P.O. has already filed affidavit in reply on behalf of respondent no.2. Learned P.O. submits that there is no need to file reply of respondent nos.3 and 4.

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

4. S.O. to 06-10-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.121/2017
(Shri Shamkant Dusane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri Shamsundar B. Patil learned Advocate for the applicant is **absent**. Shri S.R.Barlinge learned Advocate for the respondent nos.5 and 6 is **absent**.

Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. Learned P.O. has submitted that he has no instruction as to whether the respondents have taken corrective measures regarding the promotion orders passed in favour of the respondent nos.5 and 6 against G.R. dated 12-09-2016 in view of the directions given by this Tribunal on 12-05-2017. He, therefore, seeks time for the same. Time granted.

3. S.O. to 15-09-2017.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.174/2017
(Dr. Madhav Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

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

2. Learned C.P.O. states that he will file reply during the course of the day. He also undertakes to serve copy of the same on the other side.

3. S.O. to 06-10-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.246/2017
(Shri Deepak Shere V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri D.P.Sathe learned Advocate holding for Shri K.M.Nagarkar learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a last chance.

3. S.O. to 06-10-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.260/2017
(Shri Bhagwat Bedke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri R.P.Bhumkar learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for respondents is present.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. seeks time to file on behalf of respondent no.4. Time granted.

3. S.O. to 06-10-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.275/2017
(Md. Asifoddin Md. Bashiroddin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri R.R.Bangar learned Advocate holding for Shri I.D.Maniyar learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents. Shri S.E.Madne learned Advocate for respondent no.4 is **absent**.

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

3. S.O. to 09-10-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.310/2017
(Dr. D.B.Dange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

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

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

3. S.O. to 26-09-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.390/2017
(Shri Vijay Tikole V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

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

2. Learned P.O. states that he will file affidavit in reply during the course of the day. He also undertakes to serve copy of the same on the other side.

3. S.O. to 04-09-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.391/2017
(Shri Sambhaji Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

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

2. At the request of learned P.O.,
S.O. to 04-09-2017.

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

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

**ORIGINAL APPLICATION NO.370/2017
(Shri Madan Dhembare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri Praful Bodade learned Advocate holding for Shri J.B.Choudhary learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. has filed separate replies on behalf of respondent nos.2 and 4 as per direction/show cause notice issued by the Tribunal on 10-08-2017. Those are taken on record. Copies thereof have been served on the other side.

3. Respondent nos.2 and 4 have filed affidavits in response to the show cause notice issued to them stating that they received intimation regarding the order passed by this Tribunal on 22-06-2017 when they received E-Mail from the Advocate of the applicant. Their affidavit is silent as to whether they received

intimation from the CPO office regarding interim relief granted by the Tribunal. Hence, respondent no.2, respondent no. 4 and the office of CPO is directed to file their respective affidavits explaining as to when intimation was given to the respondents regarding grant of interim relief in favour of the applicant. If intimation is given by the office of CPO/PO to the respondents then the respondent nos.2 and 4 shall narrate exact date and time when they got intimation about the interim relief granted by the Tribunal.

4. Steno copy may be provided to the learned P.O. on his request.

5. S.O. to 21-09-2017.

6. Interim relief granted earlier to continue till then.

MEMBER (J)

FARAD CONTINUATION SHEET

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

ORIGINAL APPLICATION ST. NO.1250/2017

(Shri Ashok Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri S.A.Wakure learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant is serving as Office Superintendent in the office of Deputy Superintendent of Land Records, Omarga. Respondent no.3 Deputy Director of Land Records is his appointing authority but the respondent no.2 Collector has issued suspension order and suspended him. He has submitted that power exercised by respondent no.2 is without authority, and therefore, same cannot be challenged in view of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 before the competent authority as the respondent no.2 is not competent authority to suspend him. Therefore, applicant has filed O.A. challenging the suspension order before this Tribunal without filing the appeal.

3. I find substance in the submissions of the learned Advocate for the applicant. Prima facie, it seems that the order issued by the respondent no.2 suspending the applicant is without authority and power. Therefore, the present O.A. can be entertained.

4. Hence, objection raised by the office is overruled. O.A. be registered and number on payment of court fees, if any.

5. Issue notices to the respondents, returnable on 09-10-2017.

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

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

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

=3=

O.A. ST. NO.1250/2017

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

10. S.O.to 09-10-2017.

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

MEMBER (J)

YUK ORAL ORDER 01-09-2017 F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 414/2017
(Dr. Vitthal W. Tidke Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

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

2. Learned Presenting Officer has submitted that the reply of respondent Nos. 1 and 2 is necessary to decide the matter and therefore, he sought short time to file affidavit in reply. Time granted.

3. S.O. to 15.09.2017.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

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

ORIGINAL APPLICATION NO. 419/2017

WITH

CAVEAT NO. 18/2017

(Shri Bhaskar V. Waghmare Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondent No. 1 and Shri S.B. Mene, learned Advocate for respondent Nos. 2 to 5.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent No. 1. Same is taken on record.

3. S.O. to 18.09.2017. Interim relief granted earlier to continue till then.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 475/2017
(Shri Chandrakant S. Jadhav Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri P.P. More, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

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

3. S.O. to 19.09.2017.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

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

ORIGINAL APPLICATION NO. 502/2017
(Public Prosecutors' Association, M.S. Vs. The State of Maha. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

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

3. S.O. to 09.10.2017.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 214/2017
(Shri Chetan V. Kangarkar Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri N.P. Bangar, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the Respondents, present.

2. It transpires from the proceedings that the notices are not collected by the learned Advocate for the applicant.

3. As none present for the applicant, S.O. to 11.10.2017 for passing necessary orders.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 508/2017
(Shri Syed Azam Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri Asif Ali, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

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

Time granted.

3. S.O. to 11.10.2017.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

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

M.A. No. 50/2017 in O.A. St. No. 107/2017
(Shri Niwrotee K. Suradkar Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri V.G. Salgare, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for the Respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No.2 in M.A. Same is taken on record.

3. S.O. to 12.10.2017.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 164/2017
(Shri Nilesh R. Pawar Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri Amol N Patale, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. At the request of learned Presenting Officer, S.O. to 08.09.2017.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

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

**ORIGINAL APPLICATION NO. 616/2017
(Shri Sukhdeo D. Khemnar Vs. The State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 6.10.2017.
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 06.10.2017.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 618/2017
(Shri Bajirao V. Khade Vs. The State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Issue notices to the respondents, returnable on 25.09.2017.

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 25.09.2017.

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

MEMBER (J)

Kpb ORAL ORDERS 01.09.2017

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

M.A. No. 375/2017 in O.A. St. No. 1239/2017
(Shri Prabhu R. Rathod Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Shri S.A. Nandurkar, learned Advocate holding for Shri Ganesh J. Kore, 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 06.10.2017.

MEMBER (J)

Kpb ORAL ORDERS 01.09.2017

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

ORIGINAL APPLICATION NO. 136/2016
(Shri Shamsundar M. Choudhary Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

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

2. Today, the learned Presenting Officer has placed on record a copy of communication dated 31.08.2017 issued by the Commissioner of Police, Aurangabad, showing that the benefit under provisions of Section 47 of Person with Disability Act-1995 have been extended to the applicant. Copy of the said communication is taken on record and marked as Exhibit-'X' for the purposes of identification.

3. Learned Advocate for the applicant seeks time to file affidavit in reply to the said communication. Time granted.

4. Learned Advocate for the applicant has also submitted that the applicant is transferred on the establishment of Commissioner of Police, Aurangabad during the pendency of the O.A. and therefore, the applicant wants to amend the O.A. accordingly. He seeks leave of this Tribunal to amend the O.A. by adding the Commissioner of Police, Aurangabad, as a party respondent to the O.A.

5. Leave as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment forthwith.

6. Issue notice to the newly added respondent i.e. the Commissioner of Police, Aurangabad, returnable on 4.10.2017.

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

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

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

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

11. S.O.to 04.10.2017.

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

MEMBER (J).

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

ORIGINAL APPLICATION NO. 500/2016
(Shri Saleem Khan Majeed Khan Vs. The State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

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

2. Shri Anil Govindrao Machewar, Sub Divisional Officer, Sillod is present in the Court, today and produced the original file of the recruitment process. On perusing the original file of the recruitment process, it reveals that the respondent No. 3 has filed affidavit dated 13.03.2016 stating that he has only two living children born after 28.03.2005. He has stated on oath that if it is found that he has more than two living children born after 28.03.2005, he will be declared unfit and also liable to prosecute in view of the provisions of Section 199 and 200 of the I.P.C.

3. On going through the affidavit in reply filed by the respondent No. 3, which is at paper book page nos. 47 to 49, it reveals that the respondent no. 3 has not denied the contention of the applicant that he has more than two children born after March 2005. Not only this, but the learned Advocate for the respondent No. 3 has submitted that as per documents on record, the respondent No. 3 has more than two children born after March 2005. It means that he did not have small family as provided under the provisions of Maharashtra Civil Services (Declaration of Small Family), Rules 2005. It means that the respondent No. 3 has made false statement on oath by suppressing the true fact.

4. Learned Chief Presenting Office has submitted at bar that in view of the statement made on behalf of respondent No. 3 and admissions of respondent No. 3 that he has more than two children after March, 2005, the respondent No. 2 i.e. Sub Divisional Officer/Magistrate, Sillod, is going to take appropriate action against the respondent No. 3

and therefore, he seeks two weeks' time to make statement regarding corrective steps and act on taken by the S.D.M., Sillod in that regard.

5. In view of the said fact, two weeks' time is granted.

6. S.O. to 15.09.2017.

MEMBER (J).

Kpb ORAL ORDERS 01.09.2017

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 542/2016
(Smt. Vaishali A. Kathar Vs. The State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 01.09.2017.

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the Respondent nos. 1 to 3 and Shri D.T. Devane, learned Advocate for respondent No. 4.

2. The applicant has challenged the selection and appointment of respondent No. 4 on the ground that on the date of filing application and till his appointment the respondent No. 4 was working as Member of Gram Pachayat of village Amdabad, Tq. Kannad. He was also working as a president of school committee. In this regard, the directions were issued to the S.D.O., Kannad to state on oath as to which procedure has been followed by him, while making the selection and appointment of respondent No. 4 on the post of Police Patil, though he was working as Member of Grampanchayat at the time of filing the

application and on the date of his selection in violation of the one of the terms and conditions mentioned in the advertisement that the candidate shall not be Member of the Gram Panchayat. But the respondent No. 3 i.e. the S.D.O., Kannad has not filed affidavit in that regard till today.

3. The S.D.O., Kannad is, therefore, directed to file short affidavit in that regard on or before next date.

4. S.O. to 18.09.2017.

MEMBER (J)

Kpb ORAL ORDERS 01.09.2017