

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

**O.A. NOS. 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894  
AND 895 ALL OF 2017**

**(Shri Prabhakar D. Mali & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Heard Shri Santosh G. Chapalgaonkar, learned Advocate for the applicants in all these matters and S/shri M.S. Mahajan, S.K. Shirse, N.U. Yadav, V.R. Bhumkar, M.P. Gude, D.R. Patil, I.S. Thorat, Smt. Priya R. Bharaswadkar, Smt. Sanjivani Deshmukh Ghate, Smt. Deepali S. Deshpande, learned Chief Presenting Officer & Presenting Officers for the respondents in respective matters.

2. Issue notices to the proposed respondents in all these matters, returnable on 11.1.2018.

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

4. Applicants are authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.As. Respondent is put to notice that

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**O.A. NOS. 884, 885, 886,**  
**887, 888, 889, 890, 891,**  
**892, 893, 894 AND 895 ALL**  
**OF 2017**

the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. Upon hearing the learned Advocate for the applicants, it appears that, the concerned respondent no. 4 the Collector, Osmanabad has passed the order of recovery against the applicants on the ground that the previous service of the present applicants under the Municipal Council could not have been computed for grant of time bound promotion given to them. In the circumstances, the recovery is directed and the pay scale is reduced by the impugned order. However the order of the Commissioner dtd. 2.2.2008

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**O.A. NOS. 884, 885, 886, 887,**  
**888, 889, 890, 891, 892, 893, 894**  
**AND 895 ALL OF 2017**

(Annex. A.1, page 21 in O.A. no. 884/2017) would show that not only the leave account of the applicants is carried forward, but even para 3 thereof would show that even the past service under the Municipal Council shall be computed for the purpose of considering the qualifying service for pension, subject to provisions of Rule 11 of the M.C.S. (Pension) Rules, 1982.

8. The learned Advocate for the applicants makes a statement that at the time of absorption of the applicants from the Municipal Council cadre in the State Government services, there was no change in the pay scale or they were not absorbed and posted in any higher cadre.

**9. In the circumstances, before filing detailed affidavit in reply, the res. no. 4 – the Collector, Osmanabad to go through the order of the Government dtd. 2.2.2008 (Annex. A.1, page 21 in O.A. no. 884/2017) and more particularly para 3 thereof and reconsider the issue afresh.**

**10. If upon reconsideration of the issue, the concerned respondent comes to the conclusion**

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**O.A. NOS. 884, 885, 886,**  
**887, 888, 889, 890, 891,**  
**892, 893, 894 AND 895 ALL**  
**OF 2017**

**that corrective steps can be taken in the matter, then the same be taken and report thereof be filed in the present matters on the next date. In case the respondent no. 4 finds that, for any rule or law the corrective steps cannot be taken, then short affidavit explaining the reasons therefor be filed on the next date.**

**11. In the circumstances, interim relief in terms of prayer clauses (D), (E) & (F) of the respective O.As. is hereby granted in favour of the respective applicants, until further orders.**

12. S.O. to 11.1.2018.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 06-12-2017

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

**O.A. NOS. 901, 902 AND 903 ALL OF 2017  
(Shri Ashok R. Jadhav & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicants in all these matters and S/shri M.S. Mahajan, Smt. Priya R. Bharaswadkar, and Smt. Deepali S. Deshpande, learned Chief Presenting Officer & Presenting Officers for the respondents in respective matters.

2. At the request of learned Advocate for the applicants, liberty is granted to correct the date in prayer clause (d) of O.A. no. 901/2017. The said correction be carried out forthwith.

3. Issue notices to the proposed respondents in all these matters, returnable on 17.1.2018.

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

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

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

**O.A. NOS. 901, 902 AND  
903 ALL OF 2017**

(Procedure) Rules, 1988, and the question such as limitation and alternate remedy are kept open.

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

**8. Considering the submissions made by the learned Advocate for the applicants, without going into the merit of the present O.As. interim relief in terms of prayer clause (d) is hereby granted until further orders.**

9. Before filing a detailed affidavit in reply, the concerned respondents to go through the annexures of the respective O.As. and more particularly through the copy of the judgment delivered by this Tribunal in O.A. no. 633/2014 dtd. 27.1.2017.

10. Upon consideration of the same, if the concerned respondents come to the conclusion that any corrective steps can be taken in the matter, then the same be taken and report thereof be filed in the O.As. on the next date. In case for any rule or law the corrective steps cannot be taken, then short affidavit explaining the reasons therefor be filed on the next date.

11. S.O. to 17.1.2018.

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

**VICE CHAIRMAN**

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

**M.A. 467/2017 IN REV. ST. 1576/2017 IN OA 701/2013  
(State of Maharashtra & Ors. Vs. Ramrao T. Rathod)**

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**OFFICE ORDER**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Heard Shri M.P. Gude, learned Presenting Officer for the applicants in the M.A. / Review Application / respondents in O.A. and Shri K.B. Jadhav, learned Advocate for the respondent in the M.A. / Review Application / applicant in O.A.

2. The learned P.O., on instructions from Shri B.N. Raut, Jailor Grade-II and Shri M.S. Bilore, Sr. Clerk, who are present in the Court, submits that the applicants in M.A./Review Application intend to withdraw the present M.A. & Review Application and some time may be granted to them to comply the order of the Tribunal dtd. 1.8.2017 passed by the Tribunal in O.A. no. 701/2013.

3. In the circumstances, the present M.A. and Review Application stand disposed of as withdrawn without any order as to costs and 3 weeks time from today is hereby granted to the applicants in the M.A./Review Application / respondents in the O.A. to comply the order of the Tribunal dtd. 1.8.2017 passed in O.A. no. 701/2013.

**VICE CHAIRMAN**

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

**O.A. 305/2014  
(Shri Rohan Vs. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

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

2. The learned P.O. seeks time to file additional reply in the matter. At his request, S.O. to 8.1.2018 for filing additional reply.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 06-12-2017



**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NO. 908 OF 2017  
(Shri KamlakarVs.The State of Maharashtra and Ors.)**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

**DATE : 06.12.2017.**

**ORAL ORDER:**

Heard Shri H.A. Joshi, 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 04.01.2018.

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

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

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

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

**7. Since the learned Advocate for the applicant has submitted that the applicant may be transferred to the post on which he is now transferred in the month of April or May as per the provisions, considering the fact that the applicant is transferred in the mid-term, presently interim relief in terms of prayer clause 7(C) is hereby granted till filing of the affidavit in reply. The prayer clause 7(C) reads as under:-**

***“C) Pending hearing and final disposal of this Original***

***Application, operation, execution and implementation of the impugned order No.Outward No. CADA/BEED/AA-2/6524 dated 18.11.2017 issued by Superintending Engineer/Administrator Command Area Development Authority, Beet to the extent of the applicant be stayed.”***

**8. The respondent No. 2 is directed to consider the above submissions, as well as, representations dated 30.11.2017 copy of which is at page nos. 11 & 12 of the paper book and decide as to whether any corrective steps can be taken. In case, any corrective steps are taken, report of the same shall be filed without filing any affidavit in reply. In case, the concerned respondents came to the conclusion that no corrective steps can be taken for any other reasons, a brief affidavit explaining those reasons be filed on the next date.**

9. S.O. to 04.01.2018.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 608 OF 2015  
(Shri Pradeep D. Pawar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Shri M.B. Bharaswadkar, learned Advocate for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer points out that in fact, the present applicant was considered from Open Category though he belongs to NT-B. However, after interview he did not succeed for his placement in the select list and, therefore, there is no force in the present application.

3. In view of the absence of the learned Advocate for the applicant, the office is directed to issue notice by Registered Post to the learned Advocate for the applicant to remain present on 8<sup>th</sup> January, 2018 and the acknowledgment shall be preserved in the present application.

4. S.O. to 8<sup>th</sup> January, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**ORIGINAL APPLICATION NO. 581 OF 2015  
(Shri Vijay K. Guldagad & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned  
Advocate holding for Shri S.B. Talekar, learned  
Advocate for the applicants and Shri I.S. Thorat,  
learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays  
for time to make submissions. At her request,  
S.O. to 9<sup>th</sup> January, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**ORIGINAL APPLICATION NO. 406 OF 2015  
(Shri Prakash N. Shrivastav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Shri A.D. Sugdare, 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 while the present applicant claims his initial appointment, as well as, grant of first time bound promotion from the Open Category, affidavit in reply of respondent Nos. 1 to 3 and more particularly additional statements, page 40 onwards, would show that the present applicant is from OBC Category. Issue however, would be as to whether the present applicant was initially appointed from reserved category i.e. from OBC Category and/ or first time bound promotion was granted to him considering his seniority in the reserved category. The documents filed by the respondents do not throw any light on the fact of his appointment either from Open or Reserved Category.

3. In the circumstances, the learned Presenting Officer prays for time to take

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**O.A. NO. 406 OF 2015**

additional instructions and or to file brief affidavit explaining the above facts. At his request, S.O. to 9<sup>th</sup> January, 2018 for compliance of the above.

4. Learned Presenting Officer to act upon steno copy.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**M.A. 224/17 IN C.P.ST.839/17 IN O.A. 440/16  
(Dr. Chandrashil S. Thokal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer for the  
respondents prays for time on the ground that  
the decision on the proposal will be taken by the  
Hon'ble Chief Minister. Considering the fact that  
the decision by the Tribunal was rendered long  
back, the concerned respondents are directed to  
bring this fact to the notice of the Hon'ble Chief  
Minister and request for earliest decision.

3. In the circumstances, S.O. to 8<sup>th</sup> January,  
2018.

4. Learned Presenting Officer to act upon  
steno copy.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD



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

**M.A.NO. 121/2017 IN O.A.ST. 364/2017  
(Shri Sachin R. Salve V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Shri Suresh D. Dhongde, learned Advocate for the applicant has filed leave note. Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri S.B. Bhosale, learned Special Counsel for respondent Nos. 4 & 5, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 12<sup>th</sup> January, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**ORIGINAL APPLICATION NO. 513 OF 2017  
(Shri Dinkar R. Bhosrekar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 06.12.2017.**

**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. Learned Advocate for the applicant prays  
for time to make submissions for grant of  
interim relief. At his request, S.O. to 4<sup>th</sup>  
January, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**ORIGINAL APPLICATION NO. 481 OF 2017  
(Shri Anil M. Tambe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Shri Suresh D. Dhongde, learned Advocate  
for the applicant has filed leave note. Mrs.  
Deepali S. Deshpande, learned Presenting  
Officer for the respondents, present.

2. In view of leave note filed by the learned  
Advocate for the applicant, S.O. to 10<sup>th</sup> January,  
2018.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**ORIGINAL APPLICATION NO. 408 OF 2017  
(Shri Shivam S. Kamble V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.P. Urgunde, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant. Learned Presenting Officer prays for time for filing affidavit in reply for other respondents.

3. Issue fresh notice to respondent No. 5, returnable on 11<sup>th</sup> January, 2018.

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

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of

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**O.A. NO. 408 OF 2017**

hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

8. S.O. to 11<sup>th</sup> January, 2018 for filing affidavit in reply for other respondents.

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

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**ORIGINAL APPLICATION NO. 74 OF 2017  
(Shri Vijaysing K. Wagh & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Heard Shri D.J. Patil, learned Advocate for  
the applicants and Mrs. Priya R. Bharaswadkar,  
learned Presenting Officer for the respondents.

2. Learned Presenting Officer prays for time  
to take instructions as directed by this Tribunal  
earlier. At her request, S.O. to 8<sup>th</sup> January,  
2018. Interim relief granted earlier to continue  
till then.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**O.A. 599/16 WITH M.A. 317/2017 IN O.A.ST.985/2017 WITH M.A.  
318/2017 IN O.A.ST.NO. 986/2017  
(Sunita Ramdas Bahiram & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 06.12.2017.**

**COMMON ORAL ORDER :**

Heard Shri D.J. Patil, learned Advocate for  
the applicants in all these cases and Shri M.S.  
Mahajan, learned Chief Presenting Officer for  
the respondents in all these cases.

2. At the request of learned Advocate for the  
applicants, S.O. to 8<sup>th</sup> January, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**O.A.NO. 07/2016 WITH O.A. NO. 65/2016  
(Shri Arun D. Ingole & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 06.12.2017.**

**COMMON ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate  
for the applicants in both these cases and Shri  
I.S. Thorat, learned Presenting Officer for the  
respondents in both these cases.

2. Upon hearing both the sides, it appears  
that the arguable case is made out. Hence,

**Admit.**

3. In the meantime, liberty is granted to the  
respondents to file affidavit in reply.

4. These cases be placed before the Division  
Bench, as and when it is available.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD



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

**ORIGINAL APPLICATION NO. 900 OF 2017  
(Dr. Ajay B. Warade V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Heard Ms. P.R. Wankhade, 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 5<sup>th</sup> January, 2018.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the

**O.A. NO. 900 OF 2017**

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. Applicants are directed to file Affidavit of compliance and notice.

**7. Before filing any detailed affidavit in reply of the concerned respondents, they are directed to go through the copies of the judgments of the Hon'ble Supreme Court and Hon'ble Bombay High Court, which are filed by the learned Advocate for the applicant on record in the present case and reconsider the issue. If upon reconsideration the respondents come to the conclusion that corrective steps are required to be taken then the corrective steps be taken and report in that regard shall be filed on the next date. In case, they come to the conclusion that the corrective steps cannot be taken then a short affidavit explaining the reasons be filed, on the next date.**

7. S.O. to 5<sup>th</sup> January, 2018.

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

**VICE CHAIRMAN**

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

**C.P.ST.1643/17 IN C.P.ST.1821/15 IN O.A. 142/13  
(Dr. Jeevansingh D. Taji V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

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

2. Issue notices to the respondents in C.P.  
ST. NO. 1643/2017, returnable on 12<sup>th</sup>  
January, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**M.A.NO. 460/2016 IN O.A.ST.NO. 1999/2016  
(Shri Hanuman S. Sarode V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

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

2. It appears from the proceedings that on the last date also nobody appeared on behalf of the applicant.

3. In the circumstances, S.O. to 16<sup>th</sup> January, 2018 as a last chance either for appearance of the applicant or for passing necessary orders in the matter.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD

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

**O.A.NO. 347/2015 WITH O.A.NO. 802/2015  
(Shri Dipak D. Edke & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 06.12.2017.**

**ORAL ORDER :**

Shri Avishkar S. Shelke, learned Advocate for the applicant in both these cases (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in both these cases, present.

2. Learned Chief Presenting Officer has filed a copy of decision dated 16.11.2017 rendered by the concerned authority in both the cases, which would show that there is no provision for appointment of Kotwal on compassionate basis. The copy of the communication is taken on record in each of the OAs and marked as document 'X' for the identification purposes.

3. In view of the absence of the learned Advocate for the applicant, S.O. to 8<sup>th</sup> January, 2018 either for hearing on the above line or for passing necessary orders.

**VICE CHAIRMAN**

ORAL ORDERS 06.12.2017-HDD