

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

**M.A. NO. 378/2016 IN O.A. ST. NO. 1634/2016
(Shri Vyankat S. More & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri T.B. Bhosale, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. The learned P.O., on instructions, submits that no sur rejoinder is necessary in the M.A. In the circumstances, S.O. to 8.1.2018 for hearing the M.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 921/2017
(Dr. Atul A. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 10.1.2018.

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 M.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. S.O. to 10.1.2018.

8. The copies of the orders in different Original Applications at Annex. A.3 & A.4 would show that Status quo has been granted by the Principal Seat of this Tribunal at Mumbai and hearing of the said matters for continuation of said interim relief is to take place on 14.12.2017.

9. In the circumstances, interim relief is hereby granted in favour of the present applicant till 20.12.2017. The applicant would be at liberty to circulate the matter on 20.12.2017 for making statement regarding continuation of the interim relief and also for filing additional documents regarding the matters at principal seat at Mumbai.

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

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 259/2017
(Ravikiran V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri S.T. Veer, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. The learned P.O. seeks time to take instructions on the line of order dtd. 13.9.2017. It is to be noted that only a brief instruction is not given to the learned P.O. by the res. no. 2 for last 2 to 3 months for the reasons best known to him. In the circumstances, as a last chance, time to comply the earlier order dated 13.9.2017 is hereby granted till 9.1.2018. It is hereby warned that, if no instructions are given by the res. no. 2 to the learned P.O., strict action like calling the said authority before the Tribunal personally and / or imposing heavy costs would be passed on the next date.

3. The learned P.O. to act upon Steno copy of this order.

VICE CHAIRMAN

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

**O.A. NO. 307/2017
(Dr. Namdeo V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. Shri Pingle, learned Advocate holding for Shri Wagh, learned Advocate for the applicant seeks time to file rejoinder. S.O. to 17.1.2018 for filing rejoinder and also awaiting the action taken by the concerned respondents in view of the order dated 29.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 722/2016
(Kamlakar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. The learned P.O. seeks time for compliance
of the order dated 22.8.2017. At his request,
S.O. to 10.1.2018 for compliance of the order
dated 22.8.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 843/2016
(Shamrao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. At the request of learned C.P.O. S.O. to
9.1.2018 for compliance of the order dated
28.9.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NOS. 368 & 369 BOTH OF 2017
(S/SHRI BAPU & RAJESHWAR V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri S.A. Deshmukh, learned Advocate for the applicants in both the matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents in both the matters.

2. The learned P.O. seeks last chance to file affidavit in reply. At her request as a last chance S.O. to 15.1.2018 for filing affidavit in reply. Both these matters be kept together.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 361/2017
(Smt. Ratnamal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. The learned P.O. submits that file of the
present case in the Presenting Officer's office is
missing. At his request, S.O. to 19.12.2017 for
compliance of the earlier order dated 7.11.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 83/2017
(Smt. Sayyad Jarinabi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for respondents, is present.

2. The learned P.O. files on record copy of the decision dtd. 10.8.2017 rendered by the Division Bench of Hon'ble High Court in W.P. no. 9328/2017. It is taken on record and marked as document 'X' for the purpose of identification. It would show that the decision of this Tribunal regarding rejecting the interim relief, as no discrimination was found, came to be confirmed. No other substantial grounds are pleaded in the said matter. In the circumstances, S.O. to 8.1.2018, for implication of the above submissions.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 393/2017
(Taslim Khan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri Sartajkhan Pathan, learned Advocate holding for Shri (Dr.) Swapnil Tawshikar, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 to 4 and Shri Avinash S. Deshmukh, learned Advocate for respondent no. 5.

2. Shri Sartajkhan Pathan, learned Advocate holding for Shri (Dr.) Tawshikar, learned Advocate for the applicant seeks time. It is to be noted that on the last date also none was present for the applicant. The learned Advocate for res. no. 5 has submitted that ex-parte interim relief granted against him is continued. In the circumstances at the request of learned Advocate for the applicant, as a last chance S.O. to 4.1.2018 for hearing for continuation of interim relief.

VICE CHAIRMAN

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

**O.A. NO. 583/2017
(Satish Shrirangrao More V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Heard with the consent of both the sides. Earlier also both the sides were heard, however, at the request of learned Advocate for the applicant the matter was adjourned for taking instructions from the applicant regarding withdrawal, if any, of the present O.A.

3. The applicant is seeking quashment of the enquiry report submitted by the Enquiry Officer to the disciplinary authority i.e. res. no. 3, on the ground that some material witnesses are not examined. In my view, the present O.A. appears to be premature and it deserves to be dismissed.

4. In the circumstances, the present O.A. stands dismissed as premature without any order as to costs.

VICE CHAIRMAN

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

**O.A. NO. 633/2017
(Dr. Shivshankar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. Upon hearing both the sides the learned
P.O. on 10.11.2017 mistakenly made a wrong
submission that the G.R. had come into effect
after the retirement of the present applicant. In
the circumstances, S.O. to 15.1.2018, with a
direction to the respondents to file affidavit in
reply in the present matter.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 788/2017
(Ashok V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. At the request of learned C.P.O. S.O. to 10.1.2018 for filing affidavit in reply of the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 782/2017
(Nitin & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri Amol B. Chalak Patil, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. At the request of learned C.P.O. S.O. to 21.12.2017 for taking instructions from the concerned respondent on the line of order dated 3.11.2017 i.e. as to when the date of interview is scheduled for the post.

VICE CHAIRMAN

LATER ON :

The learned C.P.O. files on record the affidavit in reply, which he states that it is on behalf of res. no. 2. It is taken on record. He undertakes to serve its copy upon the learned Advocate for the applicant. In the circumstances, S.O. to 21.12.2017.

VICE CHAIRMAN

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

**O.A. NO. 443/2014 WITH O.A. NO. 178/2015
(S/shri Ashok & Govind V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri Madhav Gude, learned Advocate for the applicants in both the matters and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondents in both the matters.

2. The learned Advocate for the applicants seeks time to take instructions from the applicants regarding further prosecution of the present matters. At his request, S.O. to 19.1.2018 for taking instructions from the applicants.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 386/2015
(Rajendra V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri Madhav C. Ghode, learned Advocate holding for Shri Prashant Nagargoje, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. Shri Ghode, learned Advocate holding for Shri Nagargoje, learned Advocate for the applicant seeks time. It appears that by the order dtd. 31.10.2017 the Tribunal has directed the learned P.O. to file additional affidavit in reply.

3. In the circumstances, S.O. to 17.1.2017 for compliance of order dtd. 31.10.2017 and for making submissions by the learned Advocate for the applicant.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 659/2015
(Madhukar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. The learned P.O. has filed affidavit in reply of res. no. 2. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. At the request of learned Advocate for the applicant, S.O. to 15.1.2018 for taking instructions.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NOS. 603, 604, 605, 606, 607, 608 & 609 ALL OF 2017
(Shri Jaideep & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicants in all these matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents in all these matters.

2. On the request of learned P.O. S.O. to 22.1.2018 for taking corrective steps or for filing short affidavit of the concerned respondent in view of order dtd. 9.11.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**M.A. NO. 425/2017 IN O.A. NO. 659/2014
(Sachin V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant seeks leave to amend the M.A. and also permission to file additional documents on record. Leave as prayed for is granted. At his request, S.O. to 8.1.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**M.A. NO. 492/2017 IN O.A. NO. 622/2015
(Rameshwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant seeks time to satisfy the query raised by the Tribunal vide orders dtd. 20.9.2017 & 6.10.2017 passed in the O.A., which is sought to be restored by the applicant. At his request, S.O. to 9.1.2018 for satisfying the query raised in the O.A.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 419/2015
(Dnyaneshwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the
applicant, S.O. to 16.1.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 437/2015
(Narayan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for respondents, is present.

2. The present matter is wrongly placed on today's board though the returnable date is 13.12.2017. In the circumstances S.O. to 13.12.2017 for appearance of Shri N.B. Narwade, learned Advocate for the applicant in the matter.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**O.A. NO. 838/2017
(Baliram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri Amol Chalak Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

2. The learned C.P.O. submits that decision from the concerned Department on the proposal dtd. 9.8.2017 is expected within 2 weeks. At his request S.O. to 8.1.2018 for placing on record the copy of said decision.

VICE CHAIRMAN

ARJ ORAL ORDERS 12-12-2017

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

**M.A. No.212/2016IN OA ST.NO.664/2016.
(Shri Nandkishor Khicchi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORDER :

Heard Shri Nandkishor Khicchi – the applicant -party in person and Shri S. K. Shirse, learned Presenting Officer for respondents.

2. Heard both sides.

3. Perused the record. The learned P.O. point towards the affidavit in reply and the copy of the decision rendered by the Division Bench in OA No.451/2009 dated 22.09.2009 (page no.126). The said decision would show that, the Division Bench had earlier dismissed the plea of the present applicant of condonation of delay of 20 years at that time.

4. In view of the above fact, remove from the Board. Be placed before the Division Bench as and when available.

VICE CHAIRMAN

ATP ORAL ORDER 11-12-2017 mt-ah

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

**ORIGINAL APPLICATION NO.906/2017
(Dr. Karuna Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri P.H.Patil learned Advocate holding for Shri Prakashsingh B. Patil learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 25-01-2018.

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 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 25-01-2018.

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

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.910/2017
(Shri Subhash Rathod V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 25-01-2018.

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 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 25-01-2018.

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

MEMBER (J)

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

**M.A.No.462/2017 IN O.A.St.No.1441/2017
(Shri Abdul Asif Jalil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Shri G.G.Suryavanshi learned Advocate for the applicant is **absent**. Shri N.U.Yadav learned Presenting Officer for respondents is present.

2. None is present for the applicant. Hence, this matter be placed for passing appropriate order on 18-01-2018.

3. S.O. to 18-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**M.A.St.No.1633/2017 WITH M.A.St.No.1534/2017 IN
O.A.St.No.1535/2017
(Shri Raghu Mehetre & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri D.G.Dagadkhair learned Advocate for the applicants and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Learned Advocate for the applicants submits that applicants want to withdraw the M.As. as well as O.A. and wish to file separate O.As. since cause of action for each applicant is different. Therefore, he sought leave to withdraw the O.A. with liberty to file separate O.As.

3. In view of the submissions of the learned Advocate for the applicant leave granted to withdraw the O.A. with liberty to file separate O.As. Accordingly, M.As. as well as the O.A. are disposed of as withdrawn with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 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 : 12.12.2017.

ORAL ORDER :

Heard Shri M.C.Ghode learned Advocate holding for Shri R.P.Adgaonkar learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned Advocate for the applicant prays for adjournment. Adjournment is granted as a last chance.

3. S.O. to 29-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.921/2016
(Shri Sanjay Mali V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Shri A.D.Sugdare learned Advocate for the applicant is **absent**. Shri V.R.Bhumkar learned Presenting Officer for respondents is present.

2. Since none is present for the applicant, S.O. to 29-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.14/2017
(Shri Ravindra Varade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. Learned P.O. submits that he will take
necessary instructions as regards vacancies in
Group-D posts as on today in the office of
respondent nos.2 and 3 and make statement in
that regard on the next date, therefore, he sought
time. Time granted.

3. S.O. to 21-12-2017.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.175/2017
(Shri Madhukar Khamkar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 5. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 25-01-2018 for filing affidavit in rejoinder, if any.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 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 : 12.12.2017.

ORAL ORDER :

Heard Shri R.P.Bhumkar learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. states that reply of respondent nos.1 to 3 is already on record, and there is no need to file separate reply of respondent no.4.

3. Since the pleadings are complete, matter is admitted. It may be kept for final hearing.

4. S.O. to 25-01-2018 for final hearing.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.385/2017
(Shri Chandulal Sathe V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Ku. Priti Wankhade learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Learned P.O. has placed on record affidavit of one Sanjay Deshmukh, respondent no.1 Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai which is taken on record.

3. Learned P.O. has also produced affidavit of respondent no.2 Dr. Pravin Shingare, Director, Medical Education and Research, Government of Maharashtra, which is taken on record.

4. On perusal of the affidavit filed by the respondent no.1, it reveals that the meeting of the Civil Services Board constituted at the level of Director, Medical Education and Research was

not held at the time of passing the impugned order. While in the affidavit of Dr. Shingare, who is Director of Medical Education and Research it has been stated that the Civil Services Board was not constituted at the level of Director, Medical Education and Research and therefore its meeting was not held at that time.

5. The relevant portion in paragraph no.4 of the affidavit of Dr. Shingare is as follows:

“4. ... The meeting of Civil Service Board was not constitute at the level of the Directorate of Medical Education and Research so the meeting was not held at that time and transfer order was issued by the Respondent No.2 as per the direction of Government in Medical Education and Drugs Department. ...”

On going through the entire sentence mentioned above, it can be gathered that Shri Pravin Shingare wants to state that Board was not constituted and therefore its meeting was not held.

6. Director as well as the Secretary of Medical Education and Research Department of Government of Maharashtra are making contradictory statement as regards constitution of Civil Services Board. Therefore, it is necessary to direct them to explain the correct position as regards constitution of Civil Services Board at Directorate Level and whether the matter regarding the transfer of the applicant was placed before the Civil Services Board for its recommendation.

7. Not only this but the learned P.O. is not able to answer the query made by the Tribunal as regards who is the Head of the Department of Medication Education and Research Department of Government of Maharashtra as provided u/s.6 of the Transfer Act. Secretary, Medical Education and Drugs Department has to clarify this aspect. Learned P.O. is directed to furnish name of Secretary, Medical Education and Drugs Department. Learned P.O. has submitted the name as follow:

“Shri Sanjay Deshmukh, Secretary, Medical Education and Drugs Department.”

8. In these circumstances, Shri Sanjay Deshmukh, Secretary, Medical Education and Drugs Department and Shri Pravin Shingare, Director, Medical Education and Research are directed to file their personal affidavit clarifying the above points.

9. S.O. to 22-12-2017.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.474/2017
(Shri Chandrakant Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri A.A.Shelke learned Advocate holding for Shri P.D.Suryavanshi learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

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

3. S.O. to 29-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.764/2017
(Shri Vijaykumar Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Smt. Suchita Dhongde learned Advocate for the applicant has filed **leave note** on record. Smt. Priya Bharaswadkar learned Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 30-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.765/2017
(Shri Ravindra P. Patel V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Smt. Suchita Dhongde learned Advocate for
the applicant has filed **leave note** on record.

Smt. Priya Bharaswadkar learned Presenting
Officer for respondents is present.

2. In view of leave note of learned Advocate for
the applicant, S.O. to 30-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.768/2017
(Shri Rajan Lengde & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Smt. Suchita Dhongde learned Advocate for the applicants has filed **leave note** on record. Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 30-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.770/2017
(Shri Ayesha Feroz Khan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri V.G.Pingle learned Advocate holding for Shri Vishwas B. Wagh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief 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 24-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri M.R.Kulkarni learned Advocate
for the applicant and Shri M.P.Gude 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 30-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.796/2017
(Shri Jayesh Shejul V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri Amol N. Kakade learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply on behalf of respondent nos.1 and 2. It seems that respondent no.3 is not served. Hence, the applicant shall take steps in the matter.

3. S.O. to 24-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**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 : 12.12.2017.

ORAL ORDER :

Shri Shivkumar Mathpati learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for respondents is present.

2. None appeared for the applicant since long. The applicant has failed to satisfy the Tribunal on the point of maintainability of the O.A. as well as on the point of limitation. It seems that the applicant is not interested in prosecuting the matter and also he failed to satisfy the Tribunal on the point of maintainability and limitation. Hence, O.A. stands dismissed with no order as to costs.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.318/2017
(Shri Shravan Y. Khairnar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri Sanket N. Suryavanshi learned Advocate holding for Shri D.J.Patil learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**M.A.No.87/2017 IN O.A.St.No.280/2017
(Punamchand Bainade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Smt. Juee Palekar-Parlikar learned Advocate holding for Shri S.D.Joshi learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 4. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 08-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.81/2016
(Sakhubai Kukade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Smt. Juee Palekar-Parlikar learned Advocate holding for Shri K.G.Salunke learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14-12-2017.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.320/2016
(Shri Meena Bengal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Shri V.P.Golewar learned Advocate for the applicant is **absent**.

Heard Shri N.U.Yadav learned Presenting Officer for respondents and Shri Amol Chalak Patil learned Advocate holding for Shri M.S.Dhapate learned Advocate for respondent no.5.

2. None appears for the applicant. Applicant remained absent on previous dates also. It seems that the applicant is not interested in prosecuting the O.A. Hence, O.A. be fixed for passing appropriate order on 22-12-2017.

3. S.O. to 22-12-2017.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. At the request of learned P.O.,
S.O. to 10-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.727/2016
(Shri Sadashiv Swami V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Shri A.D.Gadekar learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for respondents is present.

2. Since none is present for the applicant, S.O. to 18-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.766/2016
(Shri Rambhau Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 18-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.41/2017
(Shri Baburao Ardad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 18-01-2018 for filing additional reply on behalf of the respondents. Time granted.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.536/2017
(Shri Harichandra Sapkal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

Heard Shri S.N.Lute learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. Learned P.O. has produced communication dated 15-11-2017 received to her from Senior Treasury Officer, Aurangabad stating that Treasury Office has not received documents required to disburse the pension to the applicant on the basis of Pension Payment Order (PPO) from the concerned office i.e. Tahsil office, Soygaon, and therefore, he was not able to disburse the pension amount to the applicant. Said communication is taken on record and marked as document "X" for identification.

3. On perusal of the record, it reveals that A.G.Nagpur issued PPO on 25-04-2017 and granted pension and other pensionary benefits

to the applicant. Said order is received to respondent no.6 Treasury Office, Aurangabad on 04-05-2017. As per the PPO, Tahsil Office, Soygaon where the applicant served has to produce necessary documents i.e. Form A, Form B, No Dues Certificate, No Enquiry Certificate, Copy of Pass Book, Adhaar Card, Pan Card etc. of the applicant but the Tahsil Office, Soygaon has not furnished the said documents till today. Therefore, respondent no.6 is not able to disburse pension to the applicant. But Tahsildar, Soygaon has not furnished the necessary information to the respondent no.6 for disbursing pension to the applicant. It seems that there is deliberate inaction on the part of the Tahsildar, Soygaon in not sending required documents and information to respondent no.6.

4. Therefore, Tahsildar Soygaon is directed to file his personal affidavit showing cause as to why he should not be held responsible for paying interest on the delayed payment of pension as provided under Rule 129-(A)(3) of the

Maharashtra Civil Services (Pension) Rules, 1982 as there was intentional and deliberate delay on his part for furnishing necessary documents and information to respondent no.6 to release pension to the applicant in view of the PPO issued by the A.G. Nagpur.

5. S.O. to 18-12-2017.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F

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

**ORIGINAL APPLICATION NO.136/2016
(Shri Shamsundar Choudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 12.12.2017.

ORAL ORDER :

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

2. Learned Advocate of the applicant has submitted that the applicant has suffered paralytic attack and he is declared unfit to join duty as Police Inspector by the Medical Board. He has submitted that the applicant has not received salary since March, 2015. He has submitted that the applicant has acquired disability as provided in the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation), Act, 1995 ("the Act" for short). He has submitted that in these circumstances, it is just to direct the respondents to disburse salary to the applicant since March, 2015.

3. Learned P.O. has submitted that the applicant remained absent since long and he has not applied for leave. However, respondents have granted extraordinary leave to the applicant on medical ground for the period from 27-05-2014 to 30-11-2014 and from 01-03-2015 to 23-04-2015. He has submitted that respondents have also extended benefits u/s.47 of the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation), Act, 1995 to the applicant and accordingly, posted him in the Police Commissionerate, Aurangabad. He has submitted that he will take instructions from the respondents as regards payment of salary to the applicant for the leave period in view of the provisions of the Act. Therefore, he sought time.

4. On going through the record, it reveals that the applicant is claiming himself as disabled as he acquired disability during the service period as provided u/s.2(i) of the Act. It is claim of the applicant that he may be posted on the equivalent post and if such post is not available

he shall be posted on supernumerary post till his retirement in view of the provisions of the Act.

5. Respondents had posted the applicant in Commissionerate, Aurangabad and extended the benefits u/s.47 of the Act to him. In order to claim benefits u/s.47 of the Act one must produce certificate from competent authority that he acquired disability as defined u/s. 2(i) of the Act. The applicant has not produced documents in that regard. Therefore, the applicant is directed to produce necessary documents in that regard on the next date.

6. S.O. to 05-01-2018.

MEMBER (J)

YUK ORAL ORDER 12-12-2017 F