

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

**ORIGINAL APPLICATION NO. 747/2017  
(Dr. Sachin G. Makne V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Applicant has been appointed temporarily as Assistant Professor in Pediatrics Dentistry initially for 120 days on condition that his services will be continued, if regular candidate will not be available. The record would show that after completion of said 120 days the applicant is continued for another 120 days. The Govt. recommended appointment of one Smt. Badnaware Sheetal Dilip for 360 days on the post of Assistant Professor in Pediatrics Dentistry under bond services. Therefore, though appointment of said Smt. Badnaware Sheetal Dilip has not been issued, still the applicant has no right to claim posting on the said post as his appointment was purely temporary. In the circumstances, it is not a fit case to grant interim relief.

3. Hence Issue notices to the respondents, returnable on 15.11.2017.

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 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.

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. The respondents shall file affidavit in reply on or before the next date.

9. S.O. to 15.11.2017.

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

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO. 745/2017  
(Dr. Anil M. Populwar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Hence Issue notices to the respondents, returnable on 16.11.2017.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. The respondents shall file affidavit in reply on or before the next date.

8. S.O. to 16.11.2017.

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

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 746/2017  
(Dr. Suresh R. Pawar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Hence Issue notices to the respondents, returnable on 16.11.2017.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. The respondents shall file affidavit in reply on or before the next date.

8. S.O. to 16.11.2017.

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

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 748/2017  
(Parasram V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Ms. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Hence Issue notices to the respondents, returnable on 17.11.2017.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. The respondents shall file affidavit in reply on or before the next date.

8. S.O. to 16.11.2017.

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

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 944/2016  
(Sunil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri Chandrakant Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. The learned P.O. seeks time to file on record copy of order passed by Hon'ble High Court in the matter in which similar issue was involved. Time granted.

3. S.O. to 27.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 737/2016  
(Latif V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for respondent nos. 1 & 2. Shri S.D. Dhongde, learned Advocate for respondent no. 3 has filed leave note.

2. In view of leave note of learned Advocate for res. no. 3, S.O. to 27.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 786/2016  
(Subhash V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 & 2 and Shri K.B. Jadhav, learned Advocate holding for Smt. Yogita Thorat - Kshirsagar, learned Advocate for respondent no. 3.

2. With consent, S.O. to 29.11.2017 for hearing.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017



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

**ORIGINAL APPLICATION NO. 787/2016  
(Vishwanath V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. With consent, S.O. to 29.11.2017 for hearing.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 788/2016  
(Madhav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. With consent, S.O. to 29.11.2017 for hearing.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 896/2016  
(Sheshrao V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Ms. Ashlesha Raut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. Admit.

3. Plate the matter for final hearing on 28.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 15/2017  
(Subhas V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri P.S. Kochar, learned Advocate holding for Shri Sanjay Kolhare, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 51/2017  
(Deelip V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Vishwas Solanke, learned Advocate holding for Shri R.D. Khadap, 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 29.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 141/2017  
(Smt. Vijaya V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Shri A.C. Deshpande, learned Advocate for the applicant **(absent)**. Smt. Resha S. Deshmukh, learned Presenting Officer for respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 27.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 167/2017  
(Fakirrao V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Ms. Juee Parlekar – Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned P.O. has filed on record affidavit in reply of res. no. 4. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. The learned P.O. seeks time to file reply of res. no. 1. Time Granted.

3. S.O. to 21.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

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

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, 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 29.11.2017 for filing reply.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017



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

**ORIGINAL APPLICATION NO. 208/2017  
(Marathwada Sarva Shramik Sanghatana & Ors. V/s. State of Maharashtra &  
Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for respondents.

2. The learned P.O. submits that, he will file affidavit in reply of the respondents during the course of the day. It be taken on record and copy thereof be supplied to the learned Advocate for the applicant.

3. S.O. to 29.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 209/2017  
(Marathwada Sarva Shramik Sanghatana & Ors. V/s. State of Maharashtra &  
Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for respondents.

2. The learned P.O. submits that, he will file affidavit in reply of the respondents during the course of the day. It be taken on record and copy thereof be supplied to the learned Advocate for the applicant.

3. S.O. to 29.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

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

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. The learned P.O. seeks time to file reply. It appears that last chance was already granted to the respondents to file reply still they have not filed the same till today.

3. By way of most last chance, S.O. to 14.11.2017 for filing reply.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

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

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. The learned P.O. seeks time to file reply. It appears that last chance was already granted to the respondents to file reply still they have not filed the same till today.

3. By way of most last chance, S.O. to 14.11.2017 for filing reply.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 325/2017  
(Dr. Vivek V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

None appears for the applicant. Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, is present.

2. At the request of learned C.P.O., S.O. to 14.11.2017 for filing reply.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 367/2017  
(Aruna Ganpatrao Suryawanshi @ Aruna Prakash Jadhav V/s. State of  
Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 22.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 753/2017  
(Vyankat V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri Shamsundar 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 17.11.2017.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. The respondents shall file affidavit in reply on or before the next date.

8. S.O. to 17.11.2017.

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

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**O.A. ST. NOS. 1568 & 1569 BOTH /2017  
(Nilesh & Ashish V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Ms. Bhavna Panpatil, learned Advocate holding for Shri S.B. Talekar, 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 Advocate for the applicants has submitted that the applicants are challenging the notice dtd. 14.9.2017 issued by the Dist. Selection Committee for appearing before it for hearing in view of the decision given by the Tribunal in O.A. no. 107/2015 and the decision of Hon'ble High Court in W.P. no. 5715/2017. She has submitted that the applicants are reasonable apprehension that, they will be removed from the post of Talathi in view of the decision of the Tribunal & Hon'ble High Court and, therefore, they approached the Tribunal by filing the present O.As.



3. On perusal of the impugned notice, it reveals that, said notice is given to the applicants to appear before the Dist. Selection Committee and to file their say. By this notice an opportunity is given to the applicants to defend themselves. The applicants are not aggrieved by any of the order passed by the Dist. Selection Committee. In the circumstances, in my view, the present O.As. are premature and not maintainable.

4. The learned Advocate for the applicants seeks time to argue on the point of maintainability of the O.As. Time granted.

5. S.O. to 16.10.2017.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO. 339/2017  
(Ravsaheb V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard A.S. Deshmukh, learned Advocate for the applicants, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2, Shri M.R. Kulkarni, learned Advocate for respondent no. 3 and Shri M.R. Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for respondent nos. 4 to 38.

2. The learned Advocate for the applicants has submitted that the present matter is fixed for hearing on interim relief today. He has further submitted that the similar matter involving similar issue is pending at principal seat of this Tribunal at Mumbai and hearing of the said matter on the point of interim relief is going on today before the Hon'ble Chairman. He,

therefore, seeks time. Other sides have no objection for adjournment of the matter.

3. In view of above submissions of learned Advocate for the applicants, S.O. to 6.11.2017.

**MEMBER (J)**

ARJ ORAL ORDER 13-10-2017

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

**ORIGINAL APPLICATION NO. 617 OF 2017  
(Dr. Nitin M. Bharambe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 22<sup>nd</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 597 OF 2017  
(Shri Sanjay S. Ramod V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 22<sup>nd</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 593 OF 2017  
(Shri Giridhar P. Thakur V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

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

3. S.O. to 22<sup>nd</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 576 OF 2017  
(Shri Ulhas N. Suryawanshi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Since nobody appears for the applicant, S.O. to 27<sup>th</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 501 OF 2017  
(Shri Dhudku Budha Mahale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 to 3 and Shri Chandrakant Patil, learned Advocate holding for Shri V.S. Choudhary – learned Advocate for respondent No. 4.

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

3. S.O. to 27<sup>th</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD



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

**ORIGINAL APPLICATION NO. 463 OF 2017  
(Shri Raosaheb B. Awhad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to produce important documents on record. Time granted.

3. S.O. to 10<sup>th</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 464 OF 2017  
(Shri Rajendra D. Kirtikar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to produce important documents on record. Time granted.

3. S.O. to 10<sup>th</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 465 OF 2017  
(Shri Ashok R. Barde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to produce important documents on record. Time granted.

3. S.O. to 10<sup>th</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**M.A.NO. 60/2017 IN O.A.ST.NO. 184/2017  
(Shri Sheshrao S. Bhalerao V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has submitted that the applicant wants to amend the M.A. hence, seeks time to amend the M.A. No. 60/2017. Time granted.

3. S.O. to 28<sup>th</sup> November, 2017.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 628 OF 2017  
(Shri Mohit A. Mali V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.P. Yenegure, learned Advocate holding for Shri C.V. Bhadane, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It appears from the office note dated 7.10.2017 that the notices are not collected by the applicant till this date to serve on the respondents. Hence, issue fresh notices to the respondents, returnable on 30<sup>th</sup> November, 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

**O.A. NO. 628 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. The respondents shall file affidavit in reply on or before the next date.

8. S.O. to 30<sup>th</sup> November, 2017.

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

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 650 OF 2017  
(Shri Subhash B. Choudhary V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.P. Yenegure, learned Advocate holding for Shri C.V. Bhadane, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. It appears from the office note dated 12.10.2017 that the notices are not collected by the applicant till this date to serve on the respondents. Hence, issue fresh notices to the respondents, returnable on 30<sup>th</sup> November, 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

**O.A. NO. 650 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. The respondents shall file affidavit in reply on or before the next date.

8. S.O. to 30<sup>th</sup> November, 2017.

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

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD



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

**ORIGINAL APPLICATION NO. 648 OF 2017  
(Shri Bhaskar S. Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent Nos. 1 & 2 and Smt. S.D. Shelke, learned Advocate holding for Shri D.R. Shelke, learned Advocate for respondent Nos. 3 & 4.

2. It appears from the office note dated 7.10.2017 that the notices are not collected by the applicant to serve on the respondents. Hence, issue fresh notices to the respondents, returnable on 30<sup>th</sup> November, 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.

**O.A. NO. 648 OF 2017**

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. The respondents shall file affidavit in reply on or before the next date.

8. S.O. to 30<sup>th</sup> November, 2017.

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

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**O.A.NO. 567/2017 WITH M.A. NO. 39/2017  
(Shri Vijay K. Shirsat V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for respondent Nos. 1 & 2, Shri V.B. Wagh, learned Advocate for respondent No. 3 and Shri V.G. Pingle, learned Advocate for respondent Nos. 4, 5 & 8. None appears for respondent Nos. 6 & 7.

2. Learned Advocate Shri Vivek Pingle appears today and he has filed **VAKALATNAMA** on behalf of respondent Nos. 4, 5 & 8 and the same is taken on record. He has filed separate affidavit in replies on their behalf and the same are taken on record and the copies thereof have been served on the other side.

3. Learned Presenting Officer has submitted that respondent No. 2 i.e. Deputy Director of Health Services, Aurangabad, will file his personal affidavit in reply in view of the directions given by this Tribunal by the orders

**:: - 2 - ::**  
**O.A.NO. 567/2017 WITH**  
**M.A. NO. 39/2017**

dated 23.3.2017 and 25.9.2017, today only.

4. S.O. to 7<sup>th</sup> November, 2017.

5. It is made clear that if the respondent No. 2 fails to file his personal affidavit in reply today, the cost of Rs. 5,000/- will be imposed upon him, which is to be paid from his own pocket.

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD

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

**ORIGINAL APPLICATION NO. 750 OF 2017  
(Smt. Surekha U. Gaikwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has submitted that the applicant has been transferred from the post of Headmaster, Government Ashram School, Sakur, Tq. Sangamner, District Ahmednagar to the post of Headmaster, Government Secondary and Higher Secondary Ashram School, Mani, Tq. Surgana, Dist. Nashik by an order dated 20<sup>th</sup> September, 2017 issued by the respondent No. 2. He has submitted that the applicant has been transferred from Sakur to Mani within a period of one year without following the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for short 'the Transfer Act of 2005'). He has submitted that the applicant is still working as Headmaster at Sakur and he has not been relieved and, therefore, he prayed to grant the stay to the execution of the

impugned transfer order dated 20<sup>th</sup> September, 2017.

3. Learned Chief Presenting Officer has submitted that there were complaints against the applicant and on the basis of complaint she has been transferred on the administrative ground by following the provisions of Section 4 (4) (ii) of the Transfer Act of 2005. He further submitted that the applicant has been relieved from her present posts w.e.f. 4.10.2017 and charge of her post has been handed over to another person. He has submitted that since the applicant has been relieved no question of grant of stay to the execution of the impugned transfer order arises. Therefore, he prayed to reject the prayer for grant of interim relief.

4. Learned Advocate for the applicant has submitted that the exparte charge of the applicant has been given to another employee.

5. On going through the documents on record, it reveals that the applicant has been transferred on administrative ground by the impugned order dated 20.9.2017 in view of the provisions of Section 4 (4) (ii) of the Transfer Act of 2005. It has been mentioned in the order that approval of the transferring authority has been taken for the said transfer. On going through the paragraph No. 5 of the application, it reveals that the charge

**O.A. NO. 750 OF 2017**

of the post of the Headmaster of Sakur i.e. the post held by the applicant has been given to another person. Therefore, I do not find substance in the submissions made by the learned Advocate for the applicant that the applicant is still holding the charge of the said post and she has not been relieved. Moreover, in view of the submissions made by the learned C.P.O. at bar the applicant has been relieved from the present post w.e.f. 4.10.2017. This shows that the applicant is not holding the said post at present. The impugned order has been executed and the applicant has been relieved and, therefore, no question of grant of interim relief as prayed for arises. In my view, it is not a fit case to grant interim relief. Therefore, prayer for interim relief is rejected.

6. Issue notices to the respondents, returnable on 17<sup>th</sup> November, 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 O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

**O.A. NO. 750 OF 2017**

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 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.

11. The respondents shall file affidavit in reply on or before the next date.

12. S.O. to 17<sup>th</sup> November, 2017.

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

**MEMBER (J)**

ORAL ORDERS 13.10.2017-HDD



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

**M.A.No.76/2017 IN O.A.St.No.252/2017  
(Shri Subhash Thale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Shri V.G.Salgare learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. None is present for the applicant. It appears that on last many occasions nobody appeared for the applicant.

3. Hence, case be placed for passing appropriate order on 23-11-2017.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**M.A.No.192/2017 IN O.A.No.792/2015  
(Dr. Chetan Shingane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the applicant in the M.A. for intervention and Shri N.U.Yadav learned Presenting Officer for respondent nos.8 and 9. Shri Vishnu Dhoble learned Advocate for respondent nos.1 to 7 (original applicants) **absent.**

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

3. S.O. to 07-11-2017 for filing rejoinder, if necessary.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**M.A.No.209/2017 IN O.A.No.771/2017  
(Dr. Gopal Kuril V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri S.N.Pagare learned Advocate for the applicant and Shri = learned Presenting Officer for respondents.

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

3. S.O. to 15-11-2017.

YUK ORAL ORDER 13-10-2017 F

**MEMBER (J)**

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

**M.A.No.281/2017 in O.A.St.No.131/2017  
(Shaikh Khudbuddin V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Shri Shamsundar Patil learned Advocate files Vakalatnama on behalf of respondent no.3.

It is taken on record.

3. Learned P.O. as well as the learned Advocate for respondent no.3 sought time to file reply on behalf of the respondents.

4. S.O. to 27-11-2017.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**M.A.No.300/2017 IN O.A.St.No.412/2017  
(Shri Udhav Mane & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

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

3. S.O. to 30-11-2017.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**M.A.No.301/2017 IN O.A.St.No.498/2017  
(Shri Chintaman Yadav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

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

3. S.O. to 30-11-2017.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**M.A.No.302/2017 IN O.A.St.No.592/2017  
(Shri Dharma More & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

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

3. S.O. to 30-11-2017.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**ORIGINAL APPLICATION NO.527/2016  
(Pratibha Kotare V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has prayed that the date of impugned order has been wrongly mentioned in the O.A. as 01-04-2016 instead of 01-04-2014. He has submitted that this mistake has occurred due to oversight and applicant prays for leave to make amendment to that effect.

3. In view of the submissions of the learned Advocate for the applicant, leave as prayed for is granted. Applicant shall make amendment as prayed for.

4. Learned Advocate for the applicant seeks time to argue the matter finally. Time is granted.

5. S.O. to 04-12-2017 for final hearing.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F



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

**ORIGINAL APPLICATION NO.528/2016  
(Asma Shaikh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri M.B.Kolpe learned Advocate for the applicant and Smt. Resha Deshmukh learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to argue the matter finally. Time is granted.

3. S.O. to 04-12-2017 for final hearing.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**ORIGINAL APPLICATION NO.529/2016  
(Sandhya Mugute V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri M.B.Kolpe learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to argue the matter finally. Time is granted.

3. S.O. to 04-12-2017 for final hearing.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**ORIGINAL APPLICATION NO.893/2016  
(Shri Vijay Chavan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Shri B.G.Deshmukh learned Advocate for the applicant is **absent**. Smt. Sanjivani Ghate learned Presenting Officer for respondents is present.

2. Since none is present for the applicant, S.O. to 05-12-2017.

YUK ORAL ORDER 13-10-2017 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.666/2015  
(Shri Madhukar Salunke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. At the request of both sides,  
S.O. to 04-12-2017.

YUK ORAL ORDER 13-10-2017 F

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO.667/2015  
(Shaikh Natthu Shaikh Kalu Khatik V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri V.G.Pingle learned Advocate holding for Shri V.S.Khairnar Patil for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. At the request of both sides,  
S.O. to 04-12-2017.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**ORIGINAL APPLICATION NO.668/2015  
(Shri Dharma Marathe V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. At the request of both sides,  
S.O. to 04-12-2017.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**M.A.No.480/2016 IN O.A.St.No.1607/2016  
(Shri Mahadeo Wankhede V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri S.R.Pande learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. Learned P.O. has submitted that the competent authority is going to take decision regarding deemed date of promotion within 4 weeks. Therefore, he seeks time to submit the report in that regard in view of the directions given by the Tribunal on 05-07-2017. Time granted.

4. S.O. to 28-11-2017.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**ORIGINAL APPLICATION NO.676/2017  
(Shri Rahul Suryavanshi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for respondents and Shri Y.V.Kakde learned Advocate for respondent no.3.

2. Learned CPO has filed affidavit in reply on behalf of the respondent nos.1 and 2. Learned Advocate has also filed affidavit in reply on behalf of respondent no.3. Those are taken on record. Copies thereof have been served on the other side.

3. Learned C.P.O. files communication dated 05-10-2017. It is taken on record.

4. Learned CPO has submitted that the applicant was on leave from 14-08-2017 till filing of the petition on 18-09-2017. He has submitted that the applicant has suppressed the said fact



while obtaining interim relief and this Tribunal has passed the order maintaining status quo as on the date of order i.e. 18-09-2017. Learned C.P.O. has submitted that the applicant was not allowed to join the post of Chief Officer, Municipal Council, Paithan. In view thereof, he prayed to vacate the interim relief granted by the Tribunal.

5. Learned Advocate for respondent no.3 also made similar submissions on the line of the learned C.P.O.

6. Learned Advocate for the applicant submits that on 18-09-2017, the applicant moved an application to the Collector, Aurangabad to permit him to join the duty after enjoying leave. He has submitted that on that date, he was on duty as he joined the service after enjoying leave. He has further submitted that the applicant has not been relieved from the post, and therefore, he prayed to continue the status quo granted earlier.

7. I have gone through the documents on record. Present O.A. was placed before this Tribunal on 18-09-2017. On that date, interim relief was granted in favour of the applicant and the respondents were directed to maintain status quo, if applicant was not relieved from the post till that date.

8. On going through the O.A. and documents placed on record by the parties, it reveals that the applicant nowhere stated that he was on leave since 14-08-2017 till filing of the O.A. on 18-09-2017, he filed application and requested to allow him to join the duty. But he was not permitted to join the post on that day. It appears from the record, that the applicant has suppressed the material facts, and therefore, the Tribunal has passed interim order in favour of the applicant. Since the applicant has not approached the Tribunal with clean hands, he is not entitled to get interim relief as claimed by him.

9. On perusal of record, it reveals that the applicant has been relieved on 18-09-2017. Hence, contention of the applicant that still he is discharging duty on the said post is not acceptable. In these circumstance, it is just and proper to vacate the interim relief of status quo granted earlier in favour of the applicant. Therefore, status quo order passed on 18-09-2017 in favour of the applicant stands cancelled.

10. S.O. to 16-11-2017.

11. Steno copy may be provided to the learned CPO on his request.

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**ORIGINAL APPLICATION NO.751/2017  
(Shri Deepak Budhwant V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

Heard Shri D.S.Bagul learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant has been transferred from Nandurbar City Police Station to Headquarter Nandurbar within 4 months. He has submitted that provisions of Maharashtra Police Act have not been followed by the respondents while issuing transfer order. He has submitted that the order has been issued on 10-10-2017 but the applicant has not been yet relieved from his earlier posting. He submits that the applicant is on sick leave from 10-10-2017, therefore, he prayed to grant interim relief and to stay the execution of the impugned order.

3. Learned P.O. submits that the transfer order of the applicant has been issued on administrative ground on the recommendations of the Police Establishment Board at District Level. He has submitted that he wants to take instructions from the respondents and will file detailed reply on the next date.

4. On going through the record, it reveals that the impugned transfer order is issued on 10-10-2017 and the applicant has been transferred to Police Headquarter, Nandurbar from City Police Station, Nandurbar. The impugned order shows that the transfer of the applicant has been made on administrative ground and approval of the Police Establishment Board at District Level has been obtained while issuing the impugned order of transfer. The applicant has not made any statement as to whether the respondent no.5 has taken charge of the new posting at Nandurbar City Police Station or not. On the contrary, the applicant has proceeded on sick leave from 10-10-2017.

5. In these circumstances, in my opinion, *prima facie*, there is no violation of the provisions of Maharashtra Police Act while issuing the impugned transfer order. Therefore, it is not a fit case to grant of interim relief in favour of the applicant. Hence, prayer of the applicant to grant of interim relief is hereby rejected.

6. Issue notice to the respondents, returnable on 16-11-2017.

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. Learned P.O. to act on steno copy of the order.

12. S.O.to 16-11-2017.

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

**MEMBER (J)**

YUK ORAL ORDER 13-10-2017 F

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

**ORIGINAL APPLICATION NO.752/2017  
(Dr. Rajendar Godekar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 13.10.2017.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant prays for adjournment till Monday. Adjournment is granted.

3. S.O. to 16-10-2017.

YUK ORAL ORDER 13-10-2017 F

**MEMBER (J)**