

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

**ORIGINAL APPLICATION NO. 421/2017
(Dr. Shamrao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. The learned P.O. seeks time to file affidavit in reply of the respondents. Time granted.

3. S.O. to 11.10.2017.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 422/2017
(Dr. Sheshrao V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. The learned P.O. seeks time to file affidavit in reply of the respondents. Time granted.

3. S.O. to 11.10.2017.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 423/2017
(Dr. Pandurang V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. The learned P.O. seeks time to file affidavit in reply of the respondents. Time granted.

3. S.O. to 11.10.2017.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 472/2017
(Sanjay V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. In view of absence of applicant and his learned Advocate, S.O. to 28.9.2017.

ARJ ORAL ORDERS 14-09-2017

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 56/2017
(Sundarbai V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

None appears for the applicant. Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents, is present.

2. None appeared for the applicant on the last date. Today also none appears for the applicant. Hence, S.O. to 21.9.2017 for dismissal of O.A., if any.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 129/2017
(Shafi Pasha V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Quadri T. Ali, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned P.O. seeks time to file affidavit in reply of the respondents. Time granted.

3. S.O. to 16.10.2017.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 360/2017
(Bandu V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Sudhir Telgote, learned Advocate holding for Shri Anant Devkate, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. The leaned Advocate for the applicant seeks time to produce on record the proof regarding service of notice on the respondents. Time granted. S.O. to 3.10.2017.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 568/2017
(Vishnu V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. The learned C.P.O. seeks time to file affidavit in reply of the respondents. Time granted.

3. S.O. to 6.10.2017.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**MA 97/2017 IN OA ST. 162/2017
(Bhanudas V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. The learned P.O. has filed affidavit in reply of res. Nos. 1 to 4 in the misc. application. The same is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

3. S.O. to 22.9.2017 for hearing of M.A.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 943/2016
(Uttam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri S.S. Dambe, learned Advocate holding for Shri G.N. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.10.2017 for final hearing.

MEMBER (J)

ARJ ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 496/2016
(Rangnath V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri B.N. Magar, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 & 2 and Shri S.B. Mene, learned Advocate for respondent no. 3.

2. On perusal of order dtd. 22.2.2017, it reveals that, the res. No. 2 was directed to file short affidavit explaining whether he has verified the character certificate produced by the res. No.

3. The res. No. 2 has filed short affidavit on 10.4.2017, but there is no whisper about verification of character certificate of res. No. 3 by the res. No. 2. The res. No. 2 has intentionally avoided to clarify that fact and disobeyed the order of the Tribunal. Vide order dtd. 22.2.2017 the res. No. 2 was directed to produce the record of selection process, but till today he has not produced the said record before the Tribunal.

3. In view of above fact, the learned P.O. is directed to furnish the name of res. No. 2. He has submitted that name of res. No. 2 is Shri Anil Machewad.

4. In the circumstances, issue show cause notice to the res. No. 2 - Shri Anil Machewad, the Sub Divisional Magistrate / the Sub Divisional Officer / Chairman of Police Patil Appointment Committee, Sillod, Tq. Sillod, Dist. Aurangabad - to remain present before the Tribunal on 21.9.2017 and explain as to why the order of the Tribunal 22.2.2017 has not been obeyed by him in its letter & true sprit till this date.

5. S.O. to 21.9.2017.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 57/2017
(Kiran V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. The applicant has challenged the order dtd. 29/30.1.2016 issued by the then Superintendent of Police, Latur by which he has been posted at Police Station, Jalkot until further orders by using word 'तैनात'. Neither the Police Manual nor Police Act provides appointment by 'तैनात'. The learned P.O. fails to explain under which provisions the impugned order has been issued by the then S.P., Latur. From the impugned order, it reveals that the said order will remain in force for indefinite period. Hence, it is just to explain the meaning of word 'तैनात' and under which provisions the said order has been issued by the then S.P., Latur. The learned P.O. is directed to give details of the then S.P., Latur and

present S.P., Latur. He submits that, Shri (Dr.) Dnyaneshwar Chavan is the name of the then S.P., Latur, who had passed the order dtd. 29/30.1.2016.

3. In the circumstances, the then S.P., Latur viz. Shri (Dr.) Dnyeneshwar Chavan & the present S.P., Latur are directed to explain the aforesaid fact by filing their personal affidavit before the Tribunal on 22.9.2017.

4. S.O. to 22.9.2017.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 376/2017
(Punjaji V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Rahul O. Awasarmol, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Issue fresh notices to the respondents, returnable on 16.10.2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.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 16.10.2017.

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

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 131 OF 2016
(Shri Narayan M. Jadhav & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Vivek Pingle, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 157 OF 2016
(Shri Sugriv L. Nagargoje & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Vivek Pingle, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 218 OF 2016
(Shri Baban S. Shinde & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Vivek Pingle, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 254 OF 2016
(Sk. Hamid Adagdmiya & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Vivek Pingle, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 279 OF 2016
(Shri Kalyan S. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 30th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 861 OF 2016
(Shri Himatrao M. Deshmukh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Vivek Pingle, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 86 OF 2017
(Shri Badrinath Y. Ghongade & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Smt. Juee Palekar - Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 5th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 242 OF 2017
(Shri Mohan R. Chaudhari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Vivek Pingle, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 16th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 372 OF 2017
(Shri Gangadharrao M. Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri Vivek Pingle, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

3. S.O. to 16th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 149 OF 2017
(Shri Balaji N. Dhondge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, **S.O. to 30th October, 2017** to enable him to file rejoinder affidavit.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 188 OF 2017
(Smt. Haphijabanu Sheikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

2. It transpires from the proceedings that the order dated 08.08.2017 passed by this Tribunal is not complied with by the applicant. It further transpires that the applicant failed to file service affidavit on record.

3. In view thereof, S.O. to 3rd October, 2017 for dismissal.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Shri Dnyaneshwar J. Patil, learned Advocate for the applicant (**absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 3 to 5 and the same is taken on record. The copy of the same could not be served on the learned Advocate for the applicant, as he is absent today.

3. On instructions, learned Presenting Officer has submitted that the affidavit in reply of respondent Nos. 1 & 2 is not necessary.

4. Since nobody appears for the applicant, S.O. to 12th October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO. 387 OF 2017
(Shri Naresh G. Khardekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

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

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

3. Learned Presenting Officer prays for time for filing affidavit in reply on behalf of other respondents.

4. S.O. to 3rd October, 2017.

MEMBER (J)

ORAL ORDERS 14-9-2017-HDD-2017

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

**ORIGINAL APPLICATION NO.132/16.
(Smt M. G. Thakur 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 : 14.09.2017.

ORAL ORDER :

None present for the applicant. Heard Shri I. S. Thorat, learned Presenting Officer for respondents.

2. The learned P.O. submits that, the applicant is given a compassionate appointment and therefore, in view of the G.R. dated 30.7.2002 (page 68 & 69) it was incumbent upon the applicant to produce the caste certificate and thereafter get the said certificate validated. He further submits that, the present applicant has not even produced caste certificate for last more than 11 years since the date of her appointment i.e. 12.3.2004 and therefore the impugned termination order cannot be faulted with.

3. Upon going through the record however, it is found that, the applicant is relying on G.R. dated 13.6.2003 (Annexure A-7, page 46) the reading of the resolution would show that, the resolution on which the learned P.O. Mr. I. S. Thorat has placed reliance is expressly overruled

By this fresh G.R. In para no.2 (page 47) it is specifically provided that, 5% of the posts shall be kept aside for appointment on compassionate ground and no differentiation between Backward or Non Backward be made in this regard. Further the Division Bench of this Hon'ble High Court in Writ Petition No.501/2004 has confirmed this situation (Annexure A-10, page 55, para 3).

4. The learned P.O. Mr. I. S. Thorat in this circumstance seeks time to seek clarification from the respondent for taking corrective steps in the light of above facts.

5. S.O. to 6.10.2017 for report.

6. The learned P.O. is directed to act on the steno copy of this order.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO.363/2016.
(Shri S. B. Jadhav & 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 : 14.09.2017.

ORAL ORDER :

Heard Shri D. S. Kore, learned Advocate for the applicants and Shri M. P. Gude, learned Presenting Officer for respondents.

2. The learned C.P.O. points towards the fact that, the present O.A. was for the limited prayer which reads as under :-

“A. The respondents may be directed to take decision for amalgamation the post of Industries Inspector (Class III) and Industries Inspector (Selection grade) in Industries Energy and Labour Department within a specific period within three months.”

3. He further submits that, the decision is now taken and additional personal affidavits of the concerned Respondent as per the specific direction of this Tribunal dated 13.1.2017 are

filed. The copy of the decision is also filed along with said additional affidavit (page 223). He submits that, the decision has been taken that no amalgamation can be made of the two cadres. In the circumstances, learned C.P.O. submits that, nothing survives in the present O.A.

4. The learned Advocate for the applicant however, seeks time to take instructions from the applicant in this regard to find out as to whether present O.A. can be withdrawn or not. At his request, S.O. to 5.10.2017.

5. The learned P.O. is directed to act on the Steno copy of this order.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO. 139/2017.
(Shri Shaikh Liyakat 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 : 14.09.2017.

ORAL ORDER :

Heard Shri V.P. Golewar, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned P.O. files affidavit in reply of Respondents no.1 to 4. The same is accepted. Copy served on the other side.

3. The arguable case is made out.

4. Admit.

5. Learned P.O. waives the notice for the respondents upon admission hearing.

6. Remove from Board. Be placed for final hearing as and when the Division Bench would be available.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO.198/2017.
(Shri Yousuffuddin 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 : 14.09.2017.

ORAL ORDER :

Heard Shri Asif Ali learned Advocate holding for Smt A. N. Ansari, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant submits that, O.A. of similar nature bearing No.562/2017 is pending before this Tribunal is fixed for hearing on 26.9.2017.

3. The learned P.O. points that, without filing any departmental appeal against the decision of inflicting minor punishment by the concerned respondents, the present original applications are filed and therefore, the original applications are not maintainable.

4. The learned Advocate for the applicant submits that, submissions would be made and time be granted for the same. At his request, S.O. to 26.9.2017. Be tagged with OA No.562/2017 for satisfying the query.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO.544/2017.
(Shri V. B. Nilawad 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 : 14.09.2017.

ORAL ORDER :

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

2. The learned P.O. files affidavit in reply on behalf of Respondents no.1 & 4 separately along with copy of decision taken by the respondent on the representation of the applicant, the reference of which was made in para no.7 of the order dated 8.8.2017. The same are accepted. Copy served on the other side.

3. The learned Advocate for the applicant submits that, he will go through the reply and copy of the decision and make submissions on the next date. At his request, S.O. to 3.10.2017 for making submissions on the above line.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO.274/2017.
(Shri A. A. Beedkar & 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 : 14.09.2017.

ORAL ORDER :

Heard Shri Y. P. Deshmukh, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant files on record the affidavit in rejoinder. The same is accepted. Copy served on the other side.

3. S.O. to 28.9.2017 for hearing on admission.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO.330/2017.
(Shri D. S. Thakur 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 : 14.09.2017.

ORAL ORDER :

None present for the applicant. Smt P. R. Bharaswadkar, learned Presenting Officer for respondents is present.

2. Applicant has not taken any steps to serve notices though sufficient chances are already granted. In the circumstances, S.O. to 5.10.2017 either for taking steps or for passing necessary orders.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**M.A. No.372/2017 in O.A.NO. 300/2017.
(Aurangabad Dist. Talathi Sanghatana 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 : 14.09.2017.

ORAL ORDER :

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

2. The learned C.P.O. seeks time to file reply to the amended application. At his request, S.O. to 3.10.2017 If no reply to the amended application is filed on that day, the present O.A. would be heard on merit.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**M. A. No. 336/2017 IN OA NO.481/2017.
(Shri A. M. Tambe 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 : 14.09.2017.

ORAL ORDER :

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

2. Be placed on due date i.e. on 18.9.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION NO.295/2003.
(Shri P. S. More & 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 : 14.09.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant submits that, the W.P.No.4676/2007 is likely to be decided by Hon'ble High Court within a period of 2 to 4 weeks. In the circumstances, S.O. to 12.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

MA NO.277/17 IN CP ST.994/17 IN OA 399/16.

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.09.2017.

ORAL ORDER :

Heard Shri V. B. Wagh, learned Advocate for the applicant, Smt P. R. Bharaswadkar, learned Presenting Officer for respondents no.1 to 3 and Shri S. R. Dheple learned Advocate for the respondents no.4 & 5.

2. The learned Advocate for the applicant submits that, the partial compliance of the of the order in O.A. was made, however, some compliance remained to be made. In the circumstances, be placed for hearing on due date i.e. on 16.9.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**ORIGINAL APPLICATION No.550/2014.
(Shri J. K. Kagale & 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 : 14.09.2017.

ORAL ORDER :

Heard Shri Y. P. Deshmukh learned Advocate holding for Shri H. A. Joshi, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for respondents.

2. The learned P.O. files on record the copy of the decision rendered by the M. A. T. at Mumbai in OA No.780/2015 dt. 24.1.2017. She submits that, the issue which has arisen in the O.A. is also decided by the Division Bench by the said decision and the O.A. came to be dismissed on 24.1.2017.

3. Shri Y. P. Deshmukh learned Advocate holding for Shri H. A. Joshi, learned Advocate for

the applicant seeks time to go through the present decision and to take further instructions concerning the said decision etc. At his request, S.O. to 4.10.2017 for satisfying above query.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

OA Nos.336, 337 & 338 of 2014.

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 : 14.09.2017.

ORAL ORDER :

Heard Shri Ambatkar, learned Advocate for the applicants in all the matters and Smt. S. K. Ghate Deshmukh, Smt R. S. Deshmukh, & Smt. S. K. Ghate Deshmukh learned Presenting Officer for respective respondents in respective matters.

2. The learned Advocate for the applicant in OA No.337/2014 files on record a pursis along with copy of the order which would show that, applicant no.1 is already appointed and therefore, the O.A. would be surviving.

3. Since decision on merit of the case would be required remove from the Board. Be placed as and when the Division Bench would be available.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**MA NO.21/2016 IN OA NO.421/15.
(Shri Sayyed Gaus 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 : 14.09.2017.

ORAL ORDER :

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

2. For the reasons already stated in the order dated 18.1.2016 the ad interim relief granted earlier is hereby made absolute. The present M.A. is accordingly disposed without any order as to costs.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

OA NO.421/15.

(Shri Sayyed Gaus 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 : 14.09.2017.

ORAL ORDER :

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

2. Upon hearing both sides it appears that, the present applicant is said to be discontinued by the respondent from the post of Sr. Clerk on the ground that, he could not have been given the said posting on compassionate ground as the said post can be obtained by him only after bearing the seniority.

3. Mr. S. D. Dhongde learned Advocate for the applicant relies on the GR dated 20.12.1996 as filed in the M.A. which would show that, appointment to the post of Senior Clerk on

compassionate ground can be considered if the posts are to be filled in directly by nomination. He is directed to file copy of the G.R. in the O.A. also.

4. Mr. Dhongde, learned Advocate seeks time to satisfy as to whether the post of Sr. Clerk with the respondent no.2 is a post to be filled in by promotion or by nomination or by both as per the relevant event.

5. S.O. to 4.10.2017 for submissions of the rules for satisfying the above query.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**MA NO.369/17 IN OA 7/16 &
MA No.370/17 in OA No.65/17.**

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 : 15.09.2017.

COMMON ORAL ORDER :

Heard Shri H. P. Jadhav, learned Advocate for the applicants in both matters and Smt S. K. Ghate Deshmukh and Smt. D. S. Deshpande, learned Presenting Officers for respondents in respective matters.

2. For the reasons stated in the applications the same are allowed.

3. Both the sides seek time to make submissions on the effect of the present documents filed on record on the next date. At their request, S.O. to 28.9.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 15-09-2017

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

**MA NO.299/17 IN OA St.364/17.
(Shri Sachin Savle 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 : 14.09.2017.

ORAL ORDER :

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

2. For the reasons stated in the application it appears that, the employees mentioned in para no.4 of the present application would be proper party. In the circumstances permission to amend the O.A. is hereby granted. The said employee be joined as respondents no.4 & 5 and the further amendment regarding deemed date of promotion etc. also be incorporated in the O.A. Misc. Application accordingly disposed of without any order as to costs.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

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

**MA NO.121/17 IN OA St.364/17.
(Shri Sachin Savle 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 : 14.09.2017.

ORAL ORDER :

(OA ST.364/17):-

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

2. Upon carrying the necessary amendment, issue notices to the added respondents no.4 & 5, returnable on 10.10.2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.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 10.10.2017.

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

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 831/2016.
(Shri Pathan Hares 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 : 14.09.2017.

ORAL ORDER :

Heard Miss Ashlesha Raut learned Advocate holding for Shri S. B. Talekar, learned Advocate for the applicant and Shri S. K. Shirse, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant submits that, the issue as to what would be the effect of the decision of Full Bench of the Hon'ble Bombay High Court as is rendered in *Rajendra Pandurang Pagare and another Vs. State of Maharashtra and others, 2009 (4), Mh. L. J. 961* (page no.54) be kept open and since the arguable case is made out the present Original Application is admitted.

....2.

3. Learned P.O. waives the notice for the respondents upon admission hearing.

4. Remove from Board. Be placed for final hearing as and when the Division Bench would be available.

VICE CHAIRMAN.

ATP ORAL ORDERS 14-09-2017

