

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

**ORIGINAL APPLICATION NO.925/2017
(Shri Mahadeo Khandare V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menezes learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Issue notices to the respondents, returnable on 01-02-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O.to 01-02-2018.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

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

**ORIGINAL APPLICATION NO.194/2016
(Shri Ramesh Jakatdar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks adjournment. Adjournment is granted.

3. S.O. to 01-02-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.565/2016
(Shri Ashok Kotwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks adjournment. Adjournment is granted.

3. S.O. to 01-02-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.923/2016
(Shri Ashok Kotwal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks adjournment. Adjournment is granted.

3. S.O. to 01-02-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.824/2016
(Dr. Asha Kadam V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

Shri P.P.More learned Advocate for respondent nos.4 and 5 is **absent**.

2. Learned Advocate for the applicant prays for time for filing affidavit in rejoinder. Time is granted.

3. S.O. to 31-01-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.43/2017
(Shri Nanasaheb Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

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

3. S.O. to 31-01-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.151/2017
(Shri Nagorao Faliwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri S.B.Bhosale learned Advocate holding for Shri S.P.Brahme learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29-01-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.157/2017
(Shri Dadasaheb Satdive V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 03-01-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondent nos.1 to 4. Time is granted as a most last chance.

3. S.O. to 23-01-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.191/2016
(Bhagyashree Sopne V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri R.D.Khadap learned Advocate holding for Shri Sudhir Chavan learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 01-02-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.247/2017
(Dr. Md. Fazalul Haq V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Mr. Asif Ali learned Advocate holding
Ms. M.N.Ansari learned Advocate for the
applicant and Smt. Priya Bharaswadkar learned
Presenting Officer for respondents.

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

3. S.O. to 02-02-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.263/2017
(Shri Bhaskar Meshram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Learned P.O. prays for time for complying with the order passed by the Tribunal. Time granted as a last chance.

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

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.365/2017
(Shri Sarang Gorge V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Shri G.N.Kulkarni learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Since none is present for the applicant, matter be placed for passing appropriate order on 02-01-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.403/2017
(Shri Bhagwan Kaldate== V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri Shamsundar B. Patil learned Advocate for the applicant and Shri M.S.Mahajan learned Presenting Officer for respondents.

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

3. S.O. to 17-01-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.499/2017
(Shri Gokulsing Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri C.T.Jadhav learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for respondents and Shri Girish Nagori learned Advocate for respondent no.4.

2. Learned Advocate for the applicant seeks time file rejoinder. Time granted.

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

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.515/2017
(Shri Shriram Shelke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri C.T.Jadhav learned Advocate for the applicant, Smt. Priya Bharaswadkar learned Presenting Officer for respondents and Shri Girish Nagori learned Advocate for respondent no.4.

2. Learned Advocate for the applicant seeks time file rejoinder. Time granted.

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

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.502/2017
(Public Prosecutors Association V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

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. Learned CPO seeks time to file affidavit in reply on behalf of the respondents. Time is granted as a most last chance.

3. S.O. to 12-01-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.505/2017
(Shri Vijaykumar Shinde V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Learned P.O. seeks time to comply with the order passed by the Tribunal. Time is granted till 05-01-2018.

3. S.O. to 05-01-2018. Interim relief granted earlier to continue till then.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.706/2017
(Shri Sadashiv Naik V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

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

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

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.707/2017
(Shri Yusuf Usman Sukede V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Learned P.O. files affidavit in reply on behalf of respondent no.2. It is taken on record. Copy thereof has been served on the other side.

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

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

MEMBER (J)

YUK ORAL ORDER 14-12-2017 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.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Shri D.S.Bagul learned Advocate for the applicant is **absent**. Smt. Priya Bharaswadkar learned Presenting Officer for respondents is present.

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

3. S.O. to 17-01-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.850/2017
(Shri Salim Shaha V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri Amol B. Chalak Patil learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has filed written communication received from the applicant for withdrawal of the O.A. It is taken on record. Learned Advocate for the applicant has submitted that the applicant has informed him to withdraw the O.A. as purpose of filing O.A. is served and the applicant has been transferred to Headquarter, Aurangabad. Therefore, he does not wish to proceed with the matter.

3. Learned P.O. states that necessary order may be passed.

=2=

O.A.No.850/17

4. In view of the above, since the applicant does not wish to proceed with the O.A., it stands disposed of as withdrawn with no order as to costs.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**M.A.No.32/2017 IN O.A.St.No.883/2016
(Dwarkabai Ramteke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri S.D.Dhongde learned Advocate holding for Dr. Kalpalata Patil-Bharaswadkar learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 31-01-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**M.A.No.56/2017 IN O.A.St.No.86/2017
(Shri Sudhakar Goswami V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the
applicant, S.O. to 21-12-2017.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**M.A.No.200/2017 IN O.A.St.No.335/2017
(Dr. Raghuvir Bhosale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 01-02-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**M.A.No.228/2017 IN O.A.St.No.842/2017
(Dr. Preeti Singh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Ku. Bhavana Panpatil learned Advocate holding for Shri S.B.Talekar learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 15-12-2017.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**M.A.No.411/2017 IN O.A.St.No.1385/2017
(Shri Yadav T. Suryavanshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

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

3. S.O. to 30-01-2018.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**M.A.No.412/2017 IN O.A.St.No.1484/2017
(Shri Namdeo Wakude V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

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

3. S.O. to 30-01-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**M.A.No.490/2017 IN O.A.No.573/2017
(Shri Mukesh Gunjal V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Issue notices to the respondents in the M.A., returnable on 12-01-2018.

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

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

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

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

7. S.O.to 12-01-2018.

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

MEMBER (J)

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

**ORIGINAL APPLICATION NO.561/2016
(Shri Sukhdev Chitte V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 01-02-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**ORIGINAL APPLICATION NO.891/2016
(Shri Anil Salve V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Smt. Suchita Dhongde learned Advocate for the applicant has filed **leave note**. Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. In view of leave note of learned Advocate of the applicant, S.O. to 01-02-2018.

YUK ORAL ORDER 14-12-2017 F

MEMBER (J)

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

**M.A.No.392/2017 IN O.A.St.No.1002/2017
(Rekhabai Bahiram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. For the reasons stated in the M.A. delay caused for filing the O.A. is condoned.

3. O.A. be registered and numbered after removal of office objections, if any.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**ORIGINAL APPLICATION NO.930/2017
(Rekhabai Bahiram V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

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

2. Notice to the respondents is dispensed with since the learned P.O. has appeared on behalf of the respondents.

3. Applicant has prayed to issue directions to the respondents to issue directions to the respondents to decide representations/ proposal/s dated 30-09-2015, 19-10-2015, 06-10-2016 and 24-10-2016. Representations/ proposal/s regarding appointment of the applicant on compassionate ground are pending with the respondents since long.

4. In these circumstances, it is just and proper to direct concerned respondent no.1 to take decision on the said representations/

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O.A.No.930/17

proposal/s mentioned above within 3 months from the date of this order.

5. In view of this, O.A. stands disposed of with direction to the respondent no.1 to decide the representations and proposal dated 06-10-2016 sent by respondent no.3 to respondent no.1 within 3 months from the date of this order, as per rules on merit. No order as to costs.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**M.A.No.413/2017 WITH M.A.No.202/2013
IN O.A.No.409/1997**

(Mukund Mohekar died through LR Girish Mohekar V/s.
State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri B.M.Dhanure learned Advocate for the applicant and Smt. Sanjivani Ghate learned Presenting Officer for respondents.

2. Applicant has filed present M.A.No.413/17 for condonation of delay of 4 years and 5 days caused in filing an application for restoration of M.A.No.202/13 in O.A.No.409/1997, which was dismissed in default on 23-08-2013 and to set aside the order of dismissal in default passed in M.A.No.202/13.

3. It is contention of the applicant that O.A.No.409/1997 was abated on 31-01-2007 due to death of the original applicant Mukund Sarvottam Mohekar. His son Shri Girish Mukund Mohekar who is legal heir of deceased filed M.A.No.202/2013 in

O.A.No.409/1997 for setting aside the order dated 31-01-2007. There were some office objections in M.A.No.202/2013. The applicant failed to remove office objection inspite of opportunities given to him, and therefore, M.A.No.202/2013 came to be dismissed on 23-08-2013. By filing the present M.A., the applicant has prayed to condone the delay and restore M.A.No.202/2013 in O.A.No.409/1997.

4. Learned Advocate for the applicant has submitted that valuable rights of the applicant are involved in the matter. He has submitted that the applicant could not remove office objections in M.A.No.202/2013 as Advocate engaged by him had not informed him about the office objections. Not only this but he has also not informed him about dismissal order passed on 23-08-2013, and therefore, delay has been caused. Therefore, he prayed to condone the delay caused in filing the O.A. and to set aside the order of dismissal passed in

M.A.No.202/2013 and to restore it at its original position.

5. Learned P.O. has submitted that no just reasons are given by the applicant for condonation of delay. She has submitted that the applicant was not diligent in prosecuting the earlier M.A. as well as the O.A., and therefore, M.A. had been dismissed in default. She has submitted that the applicant has not given just and proper explanation for condonation of delay caused for filing the M.A. Therefore, she prayed to reject the M.A.

6. On going through the record it reveals that father of the applicant had filed O.A.No.409/1997 but he died, and therefore, the O.A. had been abated on 31-01-2007. Thereafter, the present applicant filed M.A.No.202/2013 for setting aside abatement order passed in O.A.No.409/1997. There were some office objections but the applicant had not removed office objections inspite of the ample opportunities given to him. Therefore, this

Tribunal dismissed M.A.No.202/2013 in default for want of compliance. The applicant has not filed the application for restoration of M.A.No.202/2013 in time. Now by filing the present M.A. he prayed to set aside the order of dismissal passed in M.A.No.202/2013 by condoning the delay.

7. On going through the contentions in the application, it reveals that no just and proper explanation has been given by the applicant for not approaching the Tribunal within stipulated time for setting the order dated 23-08-2013 passed by this Tribunal in O.A.No.202/2013. The applicant was not diligent in conducting the matter. In the absence of just and sufficient grounds to condone the delay, prayer of the applicant for condonation of delay cannot be considered. It is evident from the record that there is intentional and inordinate delay on the part of the applicant. Applicant was also not diligent in conducting the matter and approaching the Tribunal within time. Applicant

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M.A.413/17 WITH M.A.202/13 IN O.A.409/97

had not explained the delay caused for filing the present M.A. Hence, M.A.No.413/2017 deserves to be rejected.

8. In view of the above facts and circumstances of the case, M.A.No.413/2017 stands rejected. There shall be no order as to costs.

MEMBER (J)

YUK ORAL ORDER 14-12-2017 F

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

**Original Application No.81/2016
(Sakhubai Kukade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 14.12.2017.

ORAL ORDER :

Shri K.G.Salunke learned Advocate for the applicant is **absent**. Shri M.P.Gude learned Presenting Officer for respondents is present.

2. Learned P.O. has submitted that the respondents have granted benefit of second time bound promotion under Assured Career Progression Scheme w.e.f. 07-01-2011 to the applicant vide the order issued by the respondent no.2 on 20-09-2017. The applicant sought time to make submissions in that regard and accordingly order has been passed on 21-09-2017. Since then nothing has been stated by the applicant as to whether her claim has been satisfied or not.

3. On perusal of prayer clause (c) it reveals that the relief claimed by the applicant is as follows:

“(c) By issuing appropriate order or directions the respondent authorities may kindly be directed to grant benefits to the applicant of Assured Career Progressive Scheme as per Government Resolution dated 05-07-2010 for which she is entitled.”

4. Respondents produced order dated 20-09-2017 issued by the respondent no.2 granting benefit of second time bound promotion to the applicant under Assured Career Progression Scheme w.e.f. 07-01-2011. It shows that the relief claimed by the applicant in the O.A. has been satisfied. Therefore, nothing remains in the O.A. Hence, O.A. stands disposed of with no order as to costs.

MEMBER (J)

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

**O.A. NO. 636/2015 WITH M.A. NO. 404/2015
(Shri Dr. Mukarram Ahmed 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 : 14.12.2017.

ORAL ORDER :

Heard Ms. Bhavana Panpatil, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. The learned P.O. has filed affidavit in reply of res. nos. 1, 3 & 4 to the amended O.A. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant. With the consent of both the sides, S.O. to 17.1.2018 for hearing on admission.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 37/2017
(Shri Balasaheb & 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 : 14.12.2017.

ORAL ORDER :

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for respondents, is present.

2. The learned P.O. files on record a communication received to him along with answer of Shri Suresh K. Kahalekar, Dy. Engineer (Mechanical), P.W.D. Sub Division, Nanded on the line of order of the Tribunal dated 20.9.2017. It is taken on record and marked as document 'X' for the purpose of identification. The said communication would show that corrective steps regarding non implementation of the interim relief are taken by the concerned respondent.

3. In view of absence of learned Advocate for the applicant, S.O. to 17.1.2018 for admission hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 85/2017
(Nikita 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 : 14.12.2017.

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for respondents.

2. The learned Advocate for the applicant has placed on record true copy of the order, downloaded from the official website, passed by the principal seat of this Tribunal at Mumbai dated 29.11.2017 in O.A. no. 1007/2017 & Ors, which is taken on record and marked as document 'X' for the purpose of identification. Reading of the said order would show that the candidate belonging to reserve category can opt for Open category in the appointment and selection process and can be considered for horizontal reservation also.

3. In that view of the matter, the concerned respondent is directed to take corrective steps, if any, in the light of the above decision of the Tribunal and file report about the same on the next date. If for any

other reason the concerned respondent comes to the conclusion that no corrective steps can be taken in the matter, then short affidavit explaining reasons therefor be filed on the next date. In the circumstances, S.O. to 15.1.2018 for compliance from the side of respondents.

4. Steno copy allowed for the use of learned P.O.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 251/2017
(Shri (Dr.) Sham 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 : 14.12.2017.

ORAL ORDER :

Heard Shri J.G. Toshniwal, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

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

3. It appears that a clerical mistake has occurred in the order dated 6.11.2017 issuing directions to the res. no. 2 - the Secretary, Medical Education & Drugs, Mumbai. In fact, those directions should have been issued to the res. no. 1 - the Secretary, Maharashtra Public Service Commission, Mumbai. In the circumstances, the res. no. 1 - the Secretary, Maharashtra Public Service Commission, Mumbai - is hereby directed to file short affidavit on the next date on the line of order dated 7.11.2017. In that view of the matter, S.O. to 17.1.2017, for compliance from the side of res. no. 1 on the line of order 6.11.2017.

4. Steno copies of the order dtd. 6.11.2017 and today's order be supplied to the learned P.O. for the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 431/2017
(Shri Vyankatesh 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 : 14.12.2017.

ORAL ORDER :

Shri J.B. Choudhary, learned Advocate for the applicant (**leave note**). Shri S.K. Shirse, learned Presenting Officer for respondents, is present.

2. The query raised by the Tribunal to the learned Advocate for the applicant vide order dtd. 13.9.2017 remains unanswered though several chances are given to him therefor. Today, the learned Advocate for the applicant has filed leave note.

3. In the circumstances, S.O. to 10.1.2018 either for satisfying the query raised by the Tribunal vide order dated 13.9.2017 by the learned Advocate for the applicant or for passing necessary orders.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 511/2017
(Shri Suryakant 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 : 14.12.2017.

ORAL ORDER :

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

2. The learned C.P.O. is permitted to file on record additional affidavit in reply of res. no. 2. It is taken on record and copy thereof is supplied to the learned Advocate for the applicant. At the request of learned Advocate for the applicant, S.O. to 23.1.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 441/2017
(Shri (Dr.) Dnyaneshwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 14.12.2017.

ORAL ORDER :

Heard Shri Ramesh I. Wakade, learned
Advocate for the applicant and Smt. Priya R.
Bharaswadkar, learned Presenting Officer for
respondents.

2. With the consent of both the sides, S.O. to
18.1.2017.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 517/2017
(Shri Anup 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 : 14.12.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant orally
makes a statement that the candidates, who belong
to reserved category and even paid limited fees are
being considered by the respondents for posting from
Open category. He seeks time to make amendment
in this regard in the O.A. At his request, S.O. to
17.1.2018. The interim relief granted earlier to
continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 557/2017
(Smt. Amarapalee 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 : 14.12.2017.

ORAL ORDER :

Heard Shri S.Y. Shinde, learned Advocate holding for Shri S.P. Dhoble, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent nos. 1 to 3. None appears for respondent no. 4.

2. At the request of learned Advocate for the applicant, S.O. to 17.1.2018. The interim relief granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 711/2017
(Smt. Mahadabai 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 : 14.12.2017.

ORAL ORDER :

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

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

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 743/2017
(Shri Subhash 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 : 14.12.2017.

ORAL ORDER :

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

2. It appears that directions given by the Tribunal vide order dated 12.10.2017 regarding corrective steps and / or filing short affidavit by the concerned respondent are not followed. The learned P.O. seeks time to file short affidavit of the concerned respondent as well as regular affidavit in reply of the respondents. At his request, S.O. to 11.1.2018 for compliance as well as short affidavit as well as regular affidavit in reply by the respondents. The applicant is at liberty to move the Tribunal for interim relief, in case any steps for recovery of amount are taken.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**ORIGINAL APPLICATION NO. 620/2017
(Shri Akshaykumar 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 : 14.12.2017.

ORAL ORDER :

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

2. Issue fresh notices to the respondents in terms of order dated 6.9.2017, returnable on 23.1.2018.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. The Office is hereby directed to send copy of order dated 6.9.2017 along with the present order to the respondents.

8. S.O. to 23.1.2018.

9. Steno copy of the order dated 6.9.2017 and today's order be supplied to the learned P.O.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**M.A. 254/2016 IN O.A. ST. 558/2016
(Shri Ramesh 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 : 14.12.2017.

ORAL ORDER :

Heard Shri M.D. Gitte, learned Advocate holding for Shri R.S. Sadaphule, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent nos. 1 & 2 and Shri V.G. Pingle, learned Advocate holding for Shri G.N. Patil, learned Advocate for respondent no. 3.

2. The learned Advocate for res. no. 3 has filed affidavit in reply in the O.A. It is taken on record and copy thereof has been served upon other side.

3. At the request of learned Advocate for the applicant and learned P.O. for res. nos. 1 & 2, S.O. to 9.1.2018 for taking instructions as to whether selection process is completed and whether the posts are filled in.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**M.A. 259/2017 WITH MA ST. 922/2017 WITH MA 213/2013 IN OA
700/2012**

(Atharoddin Vs. The State of Mah. & 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 : 14.12.2017.

ORAL ORDER :

None appears for the applicant. Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 5.1.2018.

ARJ ORAL ORDERS 14-12-2017

VICE CHAIRMAN

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

**M.A. NO. 481/2017 WITH O.A. NO. 501/2015
(Shri Balasaheb 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 : 14.12.2017.

ORAL ORDER :

Heard with consent of Shri R.D. Khadap, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

2. Read the order dated 30.11.2017. It is an admitted fact that the present applicant is selected in the common cadre, which includes

- (a) Civil Surgeon,
- (b) Superintendent of Hospital,
- (c) Deputy Superintendent of Teaching Hospital,
- (d) Medical Hospital M.M. & H.S. Class-I, In-charge Cottage Hospital,
- (e) Medical Officer M.M. & H.S. of Class-I, In-charge of Rural Hospital.

3. The applicant is selected and posted as a Medical Superintendent. He, however, seeks posting in the post of Civil Surgeon. It is a discretion of the respondents regarding posting and without any issue of discrimination, the impugned decision of the respondents cannot be faulted with.

4. In the circumstances, there is no prima-facie case in the Original Application itself. Accordingly the Misc. Application for permission to amend the

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M.A. NO. 481/2017
WITH O.A. NO. 501/2015

Original Application as well as Original Application itself, are hereby rejected without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**M.A. 497/2017 IN C.P. 03/2016 IN O.A. 239/2015
(Dr. Sonali 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 : 14.12.2017.

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 present M.A. has been filed by the applicant for permission to delete the contemnor nos. 1 to 3 names presently mentioned in the M.A. & C.P. and to add the names of existing authorities who are presently holding the charge. The copy of the draft amendment is enclosed with the M.A.

3. For the reasons stated in the M.A. it is allowed and disposed of without any order as to costs and the applicant is permitted to substitute the names of contemnors in the present M.A. & accompanying Cont. Petition as per draft amendment enclosed with the M.A. The said amendment be carried out during the course of the day.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**C.P. 03/2016 IN O.A. 239/2015
(Dr. Sonali 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 : 14.12.2017.

ORAL ORDER :

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

2. Upon replacing the names of contemnors, issue
notices to them in the Contempt Petition, returnable
on 9.1.2018.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**MA 389/2017 IN CP ST. 1274/2017 IN OA 25/2016
(Shri Dagdu R. Gaikwad Vs. the State of Mah. & Ors.)**

WITH

**MA 390/2017 IN CP ST. 1276/2017 IN OA 26/2016
(Shri Sudhakar B. Deshpande Vs. the State of Mah. & Ors.)**

WITH

**MA 402/2017 IN CP ST. 1349/2017 IN OA 298/2016
(Shri Gopinath D. Pawal Vs. the State of Mah. & Ors.)**

WITH

**MA 403/2017 IN CP ST. 1351/2017 IN OA 299/2016
(Shri Bapurao C. Patil Vs. the State of Mah. & 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 : 14.12.2017.

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicants in all these matters and S/shri M.S. Mahajan, I.S. Thorat, N.U. Yadad, learned Chief Presenting Officer & Presenting Officers for the respondents in respective matters.

2. Both the sides submit that the order passed by the Tribunal dated 2.9.2016 in respective O.As. is complied with by the respondents and in view thereof nothing survives in the present M.As. & C.Ps.

3. In view of statement made by both the sides, the present M.As. for permission to file C.Ps. against the respondents for non compliance of the order of the Tribunal and the Contempt Petitions are accordingly disposed of without any order as to costs.

VICE CHAIRMAN

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

MA 391/2017 IN CP ST. 1278/2017 IN OA 23/2016
MA 397/2017 IN CP ST. 1338/2017 IN OA 292/2016
MA 398/2017 IN CP ST. 1340/2017 IN OA 295/2016
MA 399/2017 IN CP ST. 1342/2017 IN OA 294/2016
MA 400/2017 IN CP ST. 1344/2017 IN OA 290/2016
MA 401/2017 IN CP ST. 1347/2017 IN OA 288/2016
MA 404/2017 IN CP ST. 1353/2017 IN OA 287/2016

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 : 14.12.2017.

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicants in all these matters and S/shri M.S. Mahajan, S.K. Shirse, V.R. Bhumkar, M.P. Gude and Smt. Sanjivani Deshmukh Ghate, learned Chief Presenting Officer & Presenting Officers for the respondents in respective matters.

2. The learned C.P.O. & P.Os. seek time to take instructions from the concerned respondents. It is to be noted that, despite filing the present M.As. for permission to prosecute the accompanying C.Ps. for non compliance of the order of the Tribunal passed in respective O.As. and while some of the Officers from the separate Districts have complied with the order in question, the respondents in the present matters are not complying the order in question.

3. In the circumstances, as a last chance S.O. to 21.12.2017 for compliance from the side of respondents. It is, however, made clear that, upon failure to file report of compliance by the concerned respondents on the next date in the present matters,

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the concerned respondents shall be liable to deposit the costs of Rs. 10,000/- from their personal account for seeking next adjournment.

4. Steno copy allowed for the use of learned P.Os. for the respondents.

VICE CHAIRMAN

ARJ ORAL ORDERS 14-12-2017

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

**O.A. 670, 671, 672, 675, 679, 680, 681, 682, 659, 674, 695, 683
700, 736 AND 779 ALL OF 2017**

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 : 14.12.2017.

ORAL ORDER :

Heard Shri A.R. Tapse, Shri R.D. Khadap, learned Advocate holding for S/shri S.S. Thombre, M.L. Muthal, learned Advocates for the applicants in respective matters and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases.

2. At the request and by consent of both the sides, S.O. to 19th December, 2017. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

ORIGINAL APPLICATION NO. 782 OF 2015

[Shri Shivaji S. Vaidya Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

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

2. At the request and by consent of both the sides, the present case is being taken up for final disposal.

3. It is an admitted fact that the enquiry report is now submitted. The present Original Application is filed by the applicant challenging the institution of departmental enquiry.

4. As the enquiry report is now submitted, the present Original Application has become infructuous and the same stands disposed of as such without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

ORIGINAL APPLICATION NO. 544 OF 2017

[Shri Vyankati B. Nilwad Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

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

2. Upon hearing both the sides and on going through the documents placed on record, it appears that the statements of charges were prepared on the date of retirement of the present applicant. Rule 27 and more particularly sub rule 6 of rule 27 of the Maharashtra Civil Services (Pension) Rules, 1982, would show that the departmental proceedings shall be deemed to be instituted on the date on which the statement of charges is issued. The ratio of the decision of the Hon'ble Supreme Court in the case of **DELHI DEVELOPMENT AUTHORITY Vs. H.C.KHURANA** reported at **AIR 1993 SC 1488** would show that the word "**issue**" means to give exit to; to send forth; or allow to pass out etc.

3. Learned Advocate for the applicant, Shri Avinash S. Deshmukh, relies on the three decisions rendered by the Division Bench of Aurangabad Bench of this Tribunal i.e. O.A. No. 469/2000; O.A. No. 1001/2009; and O.A. No. 921/2009. The reading of

O.A. NO. 544 OF 2017

all the decisions, however, would show that the Hon'ble Division Bench had relied on the Circular date 25th March, 1991 in Marathi language (page-88 of the O.A.) and more particularly on the translation of the word "issue" in clause-a as "to give to".

4. In the circumstances, the question would be as to whether Circular contrary to the rules can be relied on and whether the translation of the rule in the Circular would be correct, which has been ultimately relied by the Hon'ble Division Bench of this Tribunal.

In that view of the matter, since in the case of DELHI DEVELOPMENT AUTHORITY Vs. H.C.KHURANA (supra), the Hon'ble Supreme Court was dealing with the term "issue" as to give exit to; to send forth; or allow to pass out etc. it would be in the fitness of thing, that the respondents shall file additional affidavit regarding the date of dispatch of the charge-sheet. In the circumstances, additional affidavit be filed on the above line on 10th January, 2018.

6. S.O. to 10th January, 2018 for filing additional affidavit by the respondents on the above line.

7. Learned Presenting Officer to act upon steno copy.

VICE CHAIRMAN

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

M.A.NO. 110/2017 IN O.A.ST.NO. 233/2017

[Dr. Archana K. Teltumbde Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

Shri Gajanan Kadam, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 to 4 and Ms. Pradnya Talekar, learned Advocate for respondent No. 5, were present.

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

3. In the circumstances, S.O. to 10th January, 2018 for hearing or for passing necessary orders/ for dismissal.

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

M.A.NO. 501/2017 IN O.A.NO. 759/2017

[Mrs. Rohini S. Deokar Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 20th December, 2017. Liberty to both the sides is granted to file additional documents on record.

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

ORIGINAL APPLICATION NO. 183 OF 2017

[Shri Ajit Bhimrao Navale Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for making submissions on the line of the order dated 18th November, 2017.

3. At the request of learned Advocate for the applicant, S.O. to 17th January, 2018 for making submission on the above line.

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

M.A.NO. 499/2017 IN O.A.ST.NO. 1866/2017

[Smt. Vranda P. Sadgure Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

Heard Smt. V.P. Sadgure, learned Advocate holding for Shri Rahul Joshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. This is an application filed by the applicant for condonation of delay of about 405 days caused in filing the accompanying Original Application.

3. Issue notices to the respondents in M.A. No. 499/2017, returnable on 22nd January, 2018.

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

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.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. S.O. to 22nd January, 2018.

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

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

ORIGINAL APPLICATION NO. 747 OF 2015

[Shri Sadhu K. Lohar Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

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

2. Upon reading of the papers, it appears that the decision on merit at the hands of the Division Bench is required. Hence, the present case be removed from the board and it be placed before the Division Bench, as and when it is available.

3. Liberty to file reply to the amended O.A. is hereby granted to the respondents in the meantime.

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

ORIGINAL APPLICATION NO. 48 OF 2016

[Shri Digambar B. Deshmukh Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

Shri Yuvraj V. Kakade, learned Advocate for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents, present.

2. The submission of the learned Presenting Officer would show that initiation of the departmental enquiry itself was challenged.

3. In the circumstances, in view of the absence of the learned Advocate for the applicant, the office of this Tribunal is directed to issue notice to the applicant himself by RPAD and to preserve acknowledgment in the proceeding.

4. Learned Presenting Officer is directed to seek information regarding the status of the departmental enquiry from the concerned respondents and file report regarding the same on the next date.

5. S.O. to 15th January, 2018.

6. Learned Presenting Officer for the respondents to act upon steno copy.

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

ORIGINAL APPLICATION NO. 833 OF 2015

[Shri Abasaheb R. Rathod Vs. State of Maharashtra & Others]

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 : 14.12.2017.

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant, as well as, learned Presenting Officer seek time to take instructions regarding the status of the departmental enquiry, as no stay was granted to the said proceedings. At the request of both the sides, **S.O. to 9th January, 2018** for making submissions on the above line.

3. Learned Presenting Officer to act upon steno copy.

VICE CHAIRMAN

ORAL ORDERS 14.12.2017-HDD

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

ORIGINAL APPLICATION NO. 103 OF 2017

[Shri Navnath Anna Matsagar Vs. State of Maharashtra & Others]

WITH

ORIGINAL APPLICATION NO. 104 OF 2017

[Shri Vitthal Shamrao Pawal Vs. State of Maharashtra & Others]

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 : 14.12.2017.

COMMON ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicants in both these cases and S/Shri V.R. Bhumkar and Shri N.U. Yadav, learned Presenting Officers for the respective respondents in respective cases.

2. Learned Advocate for the applicant in reference to the order dated 3rd October, 2017 points that statement regarding the date of withdrawal of benefit of assured career progression scheme is made in both the Original Applications and document in this regard also filed on record. In the circumstances, there is no need of further clarification in view of the order passed by this Tribunal dated 3rd October, 2017.

3. Upon hearing it prima facie appears that the concerned respondents have wrongly relied on the Government Resolution dated 20th July, 2002 (page-26 Annexure 'A-5' of O.A. No. 103/2017) for withdrawing the time scale promotion granted to the present applicants. In fact, the said Government

Resolution at page No. 26 Annexure 'A-5' speaks only about stoppage of increment, in case computer proficiency as prescribed is not obtained by the employee.

4. Learned Presenting Officer further submits that there is another provision which would show that there shall be no time bound promotion, unless computer proficiency is obtained.

5. The impugned order, however, does not refer to any such provision.

In the circumstances, the respondents are directed to reconsider the issue fresh. Upon reconsidering the issue, if the respondents come to the conclusion that corrective steps are required to be taken then the corrective steps be taken and report in that regard shall be filed on the next date. In case, the concerned respondents come to the conclusion that the computer proficiency was must for consideration of time bound promotion then a short affidavit explaining the reasons be filed along with G.R. or any other direction in this regard, on the next date.

6. S.O. to 10th January, 2018 for compliance of the above line.

7. Learned Presenting Officer to act upon the steno copy.

VICE CHAIRMAN