

**FARAD CONTINUATION SHEET**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 388 OF 2018  
(Shri Namdeo P. Gawali V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 20.06.2018.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that while the present applicant was demoted from the post of Circle Inspector to Talathi vide order dated 15.02.2016 (Annexure A-6, page no. 37) as he was under the operation of the punishment given in the Departmental Enquiry. The other similarly situated employees junior to him who are at Sr. No. 5 onward in promotion order, Annexure A-3 (page no. 28) continued to be promoted, though the promotion was ad-hoc promotion. He further submitted that the applicant has challenged the punishment in the appeal and ultimately, the State Government set aside the punishment of withholding two increments permanently to only censure i.e. minor punishment. In the circumstances, he submitted that the deemed date of promotion w.e.f. earlier promotion is required.

3. Considering all these facts on record, issue notices to the respondents, returnable on 08.08.2018.

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 the case. 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 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.

8. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. Reply be filed on or before 08-08-2018.

10. S.O. 08-08-2018.

11. Steno copy and hamdust is allowed to both the sides.

**VICE CHAIRMAN**

KPB ORAL ORDER 20-06-2018

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 370 OF 2018  
(Shri Dhammatna S. GhuleV/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 20.06.2018.**

**ORAL ORDER :**

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

2. The present matter be placed before the regular presiding officer Hon'ble Shri B.P. Patil on his arrival.

3. S.O. to 25.06.2018.

**VICE CHAIRMAN**

KPB ORAL ORDER 20-06-2018

**FARAD CONTINUATION SHEET**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 413 OF 2018  
(Shri Rupesh R. Madkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 20.06.2018.**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 18.07.2018.

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. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **Considering the facts on record, the present transfer is mid-tenure transfer, without making any comment on merit, the interim relief in terms of prayer clause 12(B) only as regards the applicant is hereby granted until further orders, which runs as follows:-**

**“(B)Pending hearing and final disposal of this Original Application execution and implementation of the impugned order dated 12.06.2018 transferring the applicant from Aurangabad to Kolhapur as an assistant professor may kindly be stayed.”**

9. Reply be filed on or before 18-07-2018.

10. S.O. 18-07-2018.

11. Steno copy and hamdust is allowed to both the sides.

**VICE CHAIRMAN**

**FARAD CONTINUATION SHEET**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. No. 165/2018 in O.A. St. No. 606/2018  
(Smt. Shital S. Bansal @ Shital Y. Honrao V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 20.06.2018.**

**ORAL ORDER :**

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

2. Issue notices to the respondents in M.A., returnable on 07.08.2018.

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.

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MA 165/2018 in  
OA St. 606/2018

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. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Reply be filed on or before 07-08-2018.

9. S.O. 07-08-2018.

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

**VICE CHAIRMAN**

KPB ORAL ORDER 20-06-2018



**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 380 OF 2018  
(Shri Dattatray M. Diwte V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 20.06.2018.**

**ORAL ORDER :**

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

2. The present matter be placed on due date  
i.e. on 03.07.2018.

**VICE CHAIRMAN**

KPB ORAL ORDER 20-06-2018

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**M.A. St. No. 706/2018 (A) in O.A. No. 143/2018  
(Shri Sopan K. Shelke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 20.06.2018.**

**ORAL ORDER :**

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

2. For the reasons stated in the present Misc. Application, the same is allowed and the applicant is directed to substitute the O.A. within a period of three weeks and thereafter, the O.A. may be circulated.

3. Accordingly, the Misc. Application is disposed of without any order as to costs.

**VICE CHAIRMAN**

KPB ORAL ORDER 20-06-2018

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 69 OF 2017  
(Shri Amarsing S. Kamthekar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 20.06.2018.**

**ORAL ORDER :**

Heard Shri H.V. Tungar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant, on instructions of the applicant, submits that some pensionary benefits have already given to the applicant and therefore, nothing remains in the present O.A. Therefore, he seeks leave of this Tribunal to withdraw the present O.A.

3. Permission granted. Withdrawal is allowed. Accordingly, the present O.A. is disposed of as withdrawn without any order as to costs.

**VICE CHAIRMAN**

KPB ORAL ORDER 20-06-2018

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 391 OF 2018  
(Shri Umesh A. Bundele V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 20.06.2018.**

**ORAL ORDER :**

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

2. The documents on record would show that to facilitate seeking entry in the training program called Basic Armed Training Session Program No. 47, the present applicant has voluntarily sought demotion to become qualified for the training, however unfortunately by that time training had already started and therefore, the respondent No. 3 refused to accept the present applicant for training vide order dated 16.05.2018, Annexure A-6, page no. 34. Unfortunately, the said order was challenged by the present applicant before the Hon'ble High Court. The Hon'ble High Court allowed the applicant to withdraw the Writ Petition and to approach this Tribunal. In the meantime, sufficient time is elapsed for granting

permission to the present applicant to enter training program, which has started long back.

3. In the circumstances, the present Original Application is disposed of without any order as to costs with a direction to the concerned respondent to consider the case of the present applicant sympathetically for the next training program of Basic Armed Training Session Program No. 48.

4. Steno copy and hamdust allowed to both the sides.

**VICE CHAIRMAN**

KPB ORAL ORDER 20-06-2018

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

**C.P.ST.NO. 26/2018 IN O.A.NO. 447/2009**

[Shri Prabhakar P. Tayde Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.
  
2. Learned Advocate for the applicant submits that since the matter is pending before the Hon'ble High Court, the contempt petition may be removed from the board with liberty to circulate as and when the exigency would arise.
  
3. In view of the above, the present case be removed from the board with liberty as prayed for.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 402 OF 2018**

[Shri Bhagwan N. Bodke Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri D.T. Devane, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. Issue notices to the respondents, returnable on 26<sup>th</sup> July, 2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in

**O.A. NO. 402 OF 2018**

the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 26<sup>th</sup> July, 2018.

**9. Issue of grant of interim relief is hereby kept open**

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

**MEMBER (A)**

**VICE CHAIRMAN**



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

**M.A.NO. 193/2018 IN O.A.ST.NO. 633/2018**

[Shri Sadashiv B. Nagarsale & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri Manish P. Tripathi, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. This is an application preferred by the applicants seeking leave to sue jointly.
3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.
4. Accompanying O.A. be registered and numbers, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION ST. NO. 633 OF 2018**

[Shri Sadashiv B. Nagarsale & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri Manish P. Tripathi, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant seeks permission of this Tribunal to correct the nomenclature of respondent No. 7.
3. Permission to correct the nomenclature of respondent No. 7 is hereby granted. The applicant shall carry out the necessary amendment within a period of 2 days.
4. Upon registration of the present O.A. and after carrying out the necessary amendment in the present O.A., by the applicant, issue notices to the respondents, returnable on 26<sup>th</sup> July, 2018.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the

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

7. 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.

8. 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.

9. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to the record.

10. S.O. to 26<sup>th</sup> July, 2018.

**11. Issue of grant of interim relief is hereby kept open**

12. Steno copy and hamdust is allowed to both the sides.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A.NO. 170/2018 IN O.A.ST. NO. 682/2018**

[Shri Radhakrishna L. Karle & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri S.T. Veer, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. This is an application preferred by the applicants seeking leave to sue jointly.
3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.
4. The present M.A. stands disposed of accordingly without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION ST. NO. 682 OF 2018**

[Shri Radhakrishna L. Karle & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri S.T. Veer, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.
2. By the present Original Application, the applicants are seeking the following relief : -

**“B. To pass the appropriate order and the notifications / Rules dated 29.01.2018 issued by the State Government to the extent of Section 2 (b) and 3 may kindly be struck down suitably and it be hold and declare that, the persons holding degree in agriculture are only eligible for the appointment to the post of Agri. Assistant and Agri. Supervisor.”**

3. The concerned rules as mentioned in the prayer clause are of Group ‘C’ post of Agriculture Assistant in the Agriculture, Animal Husbandry, Dairy Development and Fisheries Department. Vide the said rules *inter alia* it is provided that a candidate, who holds a diploma in Agriculture or equivalent would be qualified for the said post. Besides this, for promotion certain Assistants in Nursery are also prescribed to be promoted.
4. Learned Advocate for the applicant submits that there is no mention that a person, who shall hold a bachelor degree in agriculture or equivalent

**O.A. ST. NO. 682 OF 2018**

can also compete for the post. He further submits that the rule prescribed in the promotion is also wrong.

5. Learned Advocate for the applicant himself has pointed out page-43 i.e. a communication between the State of Maharashtra and Agricultural Directorate dated 17.04.2018. It explains that the qualification prescribed is a minimum qualification and, therefore, a person holding a degree in Agricultural or equivalent is not barred from competing for the post. As regards the recruitment by promotion, no fault can be found with the powers of the State being exercised under Article 309 of the Constitution of India. In the circumstances, the following order.

**ORDER**

The present Original Application is hereby dismissed without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 843 OF 2016**

[Shri Shamrao G. Wagatkar Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
2. Learned Presenting Officer for the respondents has filed a copy of communication dated 26.04.2018 and the same is taken on record and marked as document 'X' for the purpose of identification. In response to the said communication learned Advocate for the applicant submits that the photo copies of the concerned ACRs would be forwarded to the concerned respondents by R.P.A.D.
3. Considering the fact that the issue is pending before the concerned respondents since long, despite persuasion by this Tribunal, it is hoped that upon receipt of the copies of the ACRs, the concerned respondents would take prompt steps.
4. With these, S.O. to 7<sup>th</sup> August, 2018.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 876 OF 2016**

[Anirudha R. Gavane Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Shri Pratik P. Kothari, learned Advocate for the applicant (**absent**). Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer submits that the report of the examiner of documents is yet to be received. At her request, S.O. to 20<sup>th</sup> August, 2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD



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

**ORIGINAL APPLICATION NO. 329 OF 2017**

[Karwar D. Balbhim Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri U.S. Mote, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.
2. Learned Advocate for the applicant submits that the applicant is called for medical examination in view of the appointment. He however, seeks time. It is to be noted that on the last date also the time was sought on the same ground.
3. Considering the fact that now the applicant is called for medical examination, nothing survives in the present Original Application.
4. In view of the above, the present Original Application is disposed of without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 678 OF 2017**

[Shri Makarand S. Bhalerao Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri R.N. Chavan, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
  
2. At the request of learned Advocate for the applicant, S.O. to 8<sup>th</sup> August, 2018. The query raised by this Tribunal vide order dated 08.11.2017 be also satisfied on that date.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 688 OF 2017**

[Dr. Baliram R. Pandwe & 4 Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri J.S. Deshmukh, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.
2. Upon hearing the learned Advocate for the applicant, it appears that the dispute is only regarding nomenclature of the Group of the Medical Officers i.e. the present applicants should be called Group 'B' or Group 'A' Medical Officer. Admittedly, there would be no change of service condition or of pay scale etc.
3. In the circumstances, the learned Advocate for the applicant seeks time to take instructions regarding withdrawal of the present Original Application, if any. Time granted.
4. S.O. to 9<sup>th</sup> July, 2018.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 724 OF 2017**

[Shri Guruprasad P. Gaikwad Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.
  
2. The office note would show that the respondent No. 4 has refused to accept the service of the notice. In the circumstances, the service is good. The present Original Application to proceed further by marking respondent No. 4 as absent. Rest of the respondents have already filed affidavit in reply.
  
3. S.O. to 17<sup>th</sup> July, 2018 for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**O.A.NOS. 829, 830 & 831 ALL OF 2017**

[Shri Dattatraya D. Jaybhay Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri V.D. Godbharle, learned Advocate for the applicants in all these cases and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents in all these cases.

2. At the request of learned Presenting Officer, S.O. to 25<sup>th</sup> July, 2018 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 854 OF 2017**

[Shri Uday S. Gavhane Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.
  
2. At the request of learned Advocate for the applicant, S.O. to 26<sup>th</sup> June, 2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 937 OF 2017**

[Shri Santosh B. Jadhav & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri S.P. Dhobale, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present applicants are seeking the following relief: -

**“(B) By issuing an appropriate order or directions, the respondents be directed to issue promotion orders to the applicants on the post of Forester in view of the merit list published by the respondents pursuant to the Limited Departmental Competitive Examination held on 8/8/2015 and for that purpose necessary directions be issued.”**

3. The applicants along with other similarly situated candidates appeared for the Limited Competitive Departmental Examination for appointment to the post of Forster. They were declared successfully. As there are no further steps taken by the concerned respondents in the issue of promotion, the present Original Application is filed.

4. The applicant has filed a copy of the decision of the Hon'ble Supreme Court of India in Civil Appeal No. 17974/2017 arising out of S.L.P. (C) No.

19262/2016, Annexure 'A-12', page-62. Paragraph No. 18 of the said decision is as under: -

**“18. Rule 7 (2) of the Recruitment Rules to the extent that it imposes the requirement of being a graduate is declared unconstitutional. However, this judgment shall not affect the promotions already made. But for further promotions, the LDCE shall be held afresh granting opportunity to all eligible Forest Guards.”**

5. It is thus, clear from the above declaration of the Hon'ble Supreme Court that the qualification of being graduate for appearance to the Limited Competitive Departmental Examination is held to be unconstitutional. The Hon'ble Supreme Court has declared that the judgment shall not affect promotions already made.

6. Learned Advocate for the applicant submits that since the result of the Competitive Examination is declared, in fact, the promotions are made and, therefore, the judgment of the Hon'ble Supreme Court would not affect the same. This statement is however, against the settled principle. It is to be noted that, only the result of the examination was declared and further process of examination of the case of each of the candidate by the Departmental Promotion Committee was yet to start. In the circumstances, there is no force in the present Original Application and, therefore, the same is dismissed without any order as to costs.



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

**ORIGINAL APPLICATION NO. 08 OF 2018**

[Shri Devendra S. Jade Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Smt. Sudarshana A. Nirban, learned Advocate holding for Smt. Pratibha Bharad, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Both side seek time for making submissions. At their request, S.O. to 6<sup>th</sup> August, 2018 for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 149 OF 2018**

[Shri Dhananjay L. Jadhav Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.
  
2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of the respondents and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
  
3. In the circumstances, S.O. to 1<sup>st</sup> August, 2018 for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 193 OF 2018**

[Shri Chandrashekhar V. Borde Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri H.A. Joshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
  
2. At the request of learned Presenting Officer, S.O. to 30<sup>th</sup> July, 2018 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**ORIGINAL APPLICATION NO. 197 OF 2018**

[Shri Sanjot V. Rathod Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Shri H.A. Joshi, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.
  
2. At the request of learned Presenting Officer, S.O. to 30<sup>th</sup> July, 2018 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 20.06.2018-HDD

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

**O.A.NOS. 212, 213, 214 & 215 ALL OF 2018**

[Shri Ashok G. Labde & Ors. Vs. State of Maharashtra & Ors]

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OFFICE ORDER

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TRIBUNAL'S ORDERS  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.06.2018.**

**ORAL ORDER :**

1. Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in all these cases and Shri V.R. Bhumkar & Mrs. Priya R. Bharaswadkar, learned Presenting Officers for the respective respondents in respective cases.

2. Learned Advocate for the applicants has filed a copy of communication dated 15.06.2018 issued by the Deputy Secretary to the Government of India and the same is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Presenting Officers seek time on the ground that under clause No. 7 of the aforesaid communication, the Department has advised the State Governments to take necessary action.

4. Considering the fact that the issue is pending before the Hon'ble Supreme Court, S.O. to 30<sup>th</sup> August, 2018 for filing affidavit in reply.

5. The registry is directed to tag all these cases together.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 252/2018  
(Sunil V. Surse V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri S.R. Andhale, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Smt. Savita N. Solunke, learned Advocate has filed V.P. for res. nos. 4 to 6. It is taken on record. She seeks time to file affidavit in reply of res. nos. 4 to 6.

3. Learned P.O. files affidavit in reply of res. nos. 1 to 3. It is taken on record and copy thereof has been served upon the learned Advocate for the applicant.

4. At the request of learned Advocate for res. nos. 4 to 6, S.O. to 18.7.2018 for filing affidavit in reply.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NOS. 231, 232 & 233/2018  
(Aishwarya V. Mudholkar & Ors. V/s. State of Maharashtra & Ors.)**

**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard S/shri Abhay Rathod, learned Advocate for the applicants in all these matters, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters and Smt. Swati B. Nakhate, learned Advocate for res. nos. 6 & 65 in O.A. no. 233/2018.

2. Shri H.A. Joshi, learned Advocate has filed V.P. for res. no. 3 in O.A. 231/2018 and for res. nos. 10, 14, 20, 26, 34, 35, 36, 38, 43, 46, 47, 49, 51 & 52 in O.A. no. 232/2018. It is taken on record. He seeks time to file affidavit in replies of respective respondents in respective matters.

3. Smt. Nakhate, learned Advocate has filed affidavit in reply of res. nos. 6 & 65 in O.A. no. 233/2018. It is taken on record and copy thereof has been served upon other side.

4. Shri Rathod, learned Advocate for the applicants has filed on record a true copy of order dtd.12.6.2018 passed by the principal seat of this Tribunal at Mumbai in O.A. no. 40/2018

and the group, which is taken on record and marked as document 'X' for the purpose of identification. It appears from the said order that by way of interim relief the Tribunal has directed the concerned respondents to permit the applicants therein to participate in the process of verification of documents for selection to the post of Assistant Motor Vehicle Inspector and their result be kept in sealed cover.

5. Shri Joshi, learned Advocate for res. no. 3 in O.A. 231/2018 and for res. nos. 10, 14, 20, 26, 34, 35, 36, 38, 43, 46, 47, 49, 51 & 52 in O.A. no. 232/2018 submits that the res. M.P.S.C. has put its hands folded for selection and even there is no verification of documents.

**6. In the circumstances, it is hereby directed that in case process of verification of documents in the present matters is started, the present applicants shall be permitted to participate in the same and their result be kept in sealed cover.**

7. S.O. to 24.7.2018 for filing affidavit in replies of respondents in which matters it is not filed. All the matters be kept together.

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

**MEMBER (A)**

**VICE CHAIRMAN**



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

**C.P. 2/2016 IN O.A. 344/2014**

**(Association of Technical Assistant through its President Shri Tukaram D. Patil  
V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to  
16.7.2018 for filing affidavit in reply and for  
taking instructions from newly added res. no. 1.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**C.P. 11/2018 IN O.A. 913/2012  
(Bapusaheb D. Mane V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. Learned P.O. submits that a writ petition bearing no. 4942/2018 is filed against the order passed by the Tribunal in the present C.P. She files on record a copy of case details as taken from website of Hon'ble High Court along with order. It appears from the record of the present C.P. that only notices are issued to the respondents and no stay is granted. In the circumstances, S.O. to 17.7.2018 for compliance of the order passed in O.A.

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

**MEMBER (A)**

**VICE CHAIRMAN**

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

**C.P. 20/2018 IN O.A. 753/2016  
(Dr. Mangesh M. Ghodke V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri D.T. Devane, learned Advocate holding for Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned P.O. submits that, though copy of order dtd. 3.5.2018 is communicated to the concerned respondents, there are no instructions from the said respondents today. Even the direction of depositing costs of Rs. 10,000/- is not complied with by the concerned respondents.

3. In the circumstances, the present C.P. be heard on 17.7.2018 without waiting for depositing of costs or without waiting for any compliance of the order in O.A.

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

**MEMBER (A)**

**VICE CHAIRMAN**

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

**C.P. 27/2018 IN O.A. 515/2013**

(Dr. Balaji G. Phalke V/s. State of Maharashtra & Ors.)

WITH

**C.P. 28/2018 IN O.A. 516/2013**

(Dr. Appasaheb S. Dhus V/s. State of Maharashtra & Ors.)

WITH

**C.P. 29/2018 IN O.A. 511/2013**

(Dr. Ramesh J. Dhapte V/s. State of Maharashtra & Ors.)

WITH

**C.P. 30/2018 IN O.A. 510/2013**

(Dr. Satish D. Londhe V/s. State of Maharashtra & Ors.)

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**AND**

**ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri J.S. Deshmukh, learned Advocate for the applicants in all these matters and S/shri S.K. Shirse, N.U. Yadav & Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents in respective matters.

2. Learned Advocate for the applicants submits that Hon'ble High Court has granted stay to the execution of order of the Tribunal passed in O.As. and, therefore, seeks some time to report the progress of the said writ petition. At his request, S.O. to 7.8.2018 for reporting progress by the learned Advocate for the applicants.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**C.P. 49/2018 IN O.A. 539/2016  
(Amol K. Kakde & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri Ramesh Wakade, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned P.O. files on record a copy of communication dtd. 19.6.2018 and the same is taken on record and marked as document 'X' for the purpose of identification. It appears from the said communication that a proposal is sent to the Cabinet for taking a decision. In the circumstances, S.O. to 30.7.2018 for reporting compliance.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**C.P. 53/2018 IN O.A. 598/2013  
(Yogita S. Markad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri A.D. Sonar, learned Advocate holding for Shri V.B. Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned P.O. S.O. to 26.6.2018 for taking instructions regarding progress as detailed in the order dtd. 4.5.2018, failing which present C.P. would be heard without affidavit in reply of the respondents.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**M.A. 405/2017 WITH M.A. ST. 1446/2017 IN O.A. 772/2013  
(Ramesh D. Jadhav V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant files on record a copy of communication between the Superintending Engineer, Quality Control Division, Aurangabad and the Superintending Engineer, Special Project Division, Nashik, which is taken on record and marked as document 'X' for the purpose of identification. He submits that in view of this communication, nothing survives in the present M.As. and the O.A. itself. In the circumstances, both the M.As. & O.A. itself are disposed of as have become infructuous. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A. 176/2018 WITH M.A. 177/2018 IN O.A. 316/2018  
(Dr. Smt. Jayshri P., Bhusare V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate holding for Shri V.V. Ingale, learned Advocate for the applicant in the present M.A., Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 23 to 25 and Shri V.B. Wagh, learned Advocate for respondent nos. 1 to 22 in the present M.A. / applicants in O.A.

2. The present M.A. has been filed by the applicant for leave to intervene in the O.A. as party respondent no. 4.

3. Perused the M.A. Considered the contentions.

4. For the reasons stated in the present M.A. it is allowed and disposed of without any order as to costs and the applicant is permitted to intervene in the O.A. as party respondent no. 4.

5. Shri Wagh, learned Advocate for the applicants in O.A. to add the applicant in the present M.A. as res. no. 4 in the O.A.

**MEMBER (A)**

**VICE CHAIRMAN**



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

**M.A. 177/2018 IN O.A. 316/2018  
(Dr. Smt. Jayshri P., Bhusare V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate holding for Shri V.V. Ingale, learned Advocate for the applicant in the present M.A., Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 23 to 25 and Shri V.B. Wagh, learned Advocate for respondent nos. 1 to 22 in the present M.A. / applicants in O.A.

2. The present M.A. has been filed by the applicant for modification of interim order dtd. 18.5.2018 passed by this Tribunal in O.A.

3. Shri Wagh, learned Advocate for res. nos. 1 to 22 / the applicants in O.A. seeks time to file affidavit in reply in the present M.A. At his request, S.O. to 28.6.2018 for filing affidavit in reply in the present M.A.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**M.A. 185/2018 IN O.A. 299/2018  
(Anil P. Maske & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri M.B. Kolpe, learned Advocate for the applicants in the present M.A., Smt. Resha S. Deshmukh, learned Presenting Officer for the respondent nos. 2 to 11 and Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for respondent no. 1 in the present M.A. / applicant in O.A.

2. The present M.A. has been filed by the applicants for permission to intervene in the O.A. as party respondents.

3. Perused the application. Considered the contentions.

4. For the reasons stated in the M.A. it is allowed and disposed of without any order as to costs and the present applicants are permitted to intervene in the O.A. as party respondents.

5. Shri Khadap, learned Advocate holding for Shri Thombre, learned Advocate for the applicant in the O.A. to add the present applicants in M.A. as party respondents in the O.A. by tomorrow.

**MEMBER (A)**

**VICE CHAIRMAN**

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

**O.A. 299/2018  
(Yogesh D. Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri R.D. Khadap, learned Advocate holding for Shri S.S. Thombre, learned Advocate for applicant, Smt. Resha S. Deshmukh, learned Presenting Officer for respondent authorities and Shri M.B. Kolpe, learned Advocate for added respondents.

2. Shri Kolpe, learned Advocate waives notice for added respondents and seeks time to file affidavit in reply in the present O.A. At his request, S.O. to 4.7.2018 for filing affidavit in reply. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**M.A. 190/2018 IN M.A. 191/2018 IN O.A. 703/2017  
(Mainabai V. Gosavi & Ors. (L.Rs. of Vasant M. Gosavi) V/s. State of Maharashtra  
& Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

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

2. The present M.A. has been filed by the applicants for condonation of 14 delay caused in filing M.A. for bringing L.Rs. of deceased applicant in O.A. i.e. Vasant Madhavrao Gosavi.

3. For the reasons stated in the M.A. it is allowed and disposed of without any order as to costs and the delay of 14 days in filing M.A. for bringing L.Rs. on record is condoned.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**M.A. 191/2018 IN O.A. 703/2017  
(Mainabai V. Gosavi & Ors. (L.Rs. of Vasant M. Gosavi) V/s. State of Maharashtra  
& Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

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

2. Learned Advocate for the applicants submits that documents, if necessary, in support of L.Rs. would be filed on the next date. At his request, S.O. to 17.7.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**ORIGINAL APPLICATION NO. 498/2015  
(Fakirasaheb B. Deshmukh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

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

2. At the request of learned P.O. S.O. to  
3.7.2018 for final hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**ORIGINAL APPLICATION NO. 544/2015  
(Nouman Khan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that the applicant has participated in the subsequent selection process, which would mean that the impugned selection process is already over. No interim relief was granted during the pendency of the present O.A. In the circumstances, the present O.A. has become infructuous and it is hereby disposed of as such without any order as to costs. .

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**ORIGINAL APPLICATION NO. 596/2015  
(Rajesh M. Nagargoje V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Vivek Pingle, learned Advocate for respondent no. 4, are present.

2. The record would show that from 20.2.2018 none has appeared for the applicant before the Division Bench, though three opportunities are already granted. In the circumstances, the present O.A. is dismissed in default without any order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018



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

**ORIGINAL APPLICATION NO. 738/2013  
(Jyoti V. Pagare V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

None appears for the applicant. Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents, is present.

2. On the last date also nobody has appeared for the applicant. In the circumstances, S.O. to 4.7.2018 for final hearing or for passing necessary order in default.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**ORIGINAL APPLICATION NO. 755/2013  
(Sanjeevani Z. Dhindale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri A.B. Dhongade, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate seeks time to take instructions from the applicant. It is to be noted that on several dates none has appeared for the applicant. In the circumstances, at the request of learned Advocate, S.O. to 10.7.2018 for taking instructions from the applicant.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**ORIGINAL APPLICATION NO. 765/2013  
(Mangal L. Thokal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri A.B. Dhongade, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 4 and Shri K.B. Jadhav, learned Advocate for respondent nos. 5 & 6.

2. Learned Advocate seeks time to take instructions from the applicant. It is to be noted that on several dates none has appeared for the applicant. In the circumstances, at the request of learned Advocate, S.O. to 10.7.2018 for taking instructions from the applicant.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**ORIGINAL APPLICATION NO. 326/2018  
(Prashant D. Warkari V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

Heard Shri M.B. Kore, learned Advocate holding for Shri S.K. Chavan, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned P.O. submits that posting order is issued to the applicant. Shri Kolpe, learned Advocate holding for Shri Chavan, learned Advocate for the applicant seeks accommodation. At his request, S.O. to 25.6.2018 for taking instructions from the applicant on the above line.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

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

**ORIGINAL APPLICATION NO. 203/2018  
(Savita S. Wandhekar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 13.8.2018 for going through the decision of the Tribunal in similar matter as per the order dtd. 20.4.2018.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018

**FARAD CONTINUATION SHEET**

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

**ORIGINAL APPLICATION NOS. 825, 864, 865, 866 & 867/2016  
(Prakash G. Gaikwad & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.  
AND  
ATUL RAJ CHADHA, MEMBER (A)**

**DATE : 20.6.2018**

**ORAL ORDER :**

None appears for the applicants in all these matters. Shri V.R. Bhumkar, learned Presenting Officer for respondent authorities in all these matters, is present. None appears for respondent no. 5 in O.A. nos. 865, 866 & 867/2016.

2. In view of absence of learned Advocate for the applicants, S.O. to 7.8.2018 for hearing.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDERS 20-6-2018