

**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 A. Goswami V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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 07.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 145/2016  
(Shri Ramrao B. Dhakne V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri Vishwas D. Solanke, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 23.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 500/2017  
(Shri Vijaysing P. Rathod V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri V.G. Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 2 and 3. Time granted.

3. S.O. to 30.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 775/2016  
(Shri Dnyanoba D. Jagtap & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 25.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 184/2017  
(Shri Nadim Yunus Shaikh (Mulla) V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 25.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 223/2017  
(Shri Vinayak U. Banchod V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri P.G. Tambde, learned Advocate holding  
for Shri S.S. Jadhavar, learned Advocate for the  
applicant and Smt. Sanjivani K. Deshmukh-  
Ghate, learned Presenting Officer for  
respondents.

2. At the request of learned Advocate for the  
applicant, S.O. to 30.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION ST. NO. 1462/2016  
(Shri Anant R. Gawali V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri Vishwas D. Solanke, learned Advocate holding for Shri R.D. Khadap, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted he will filed Misc. Application for condonaiton of delay in filing the present Original Application during the course of the day in the office.

3. S.O. to 08.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 940/2017  
(Shri Chandrashekhar Gangurde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri Sudhir Patil, learned Advocate for the applicant (**Leave Note**). Smt. Priya R. Bhraraswadkar, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 02.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017



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

**ORIGINAL APPLICATION NO. 846/2016  
(Shri Kishor A. Bagul V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri M.K. Bhosle, learned Advocate  
for the applicant and Smt. Sanjivani K.  
Deshmukh-Ghate, learned Presenting Officer for  
respondents.

2. Pleadings are complete. The O.A. is  
admitted and it be kept for final hearing on  
08.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

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

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 04.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 158/2017  
(Dr. S.V. More V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for respondents.

2. Learned Presenting Officer has submitted that during the course of the day he will deposit the amount of Costs and will filed affidavit in reply.

3. S.O. to 16.01.2018. Interim relief granted earlier to continue till then.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 203/2017  
(Shri Shamrao G. Wagatkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

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

3. S.O. to 23.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 277/2017  
(Shri Shaikh Mehboob Abdul Kareem V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri P.G. Tambde, learned Advocate holding  
for Shri S.S. Jadhavar, learned Advocate for the  
applicant and Smt. Priya R. Bharaswadkar,  
learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file  
affidavit in reply on behalf of respondents. Time  
granted.

3. S.O. to 30.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 376/2017  
(Shri Panjaji M. Shinde V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri R.O. Awasarmal, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for respondents, present.

2. Learned Presenting Officer submits that he will file affidavit in reply on behalf of respondent Nos. 1 to 3 during the course of the day.

3. S.O. to 31.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 488/2017  
(Shri Ramchandra S. Jaybhaye V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks leave of this Tribunal to amend the prayer clause of the O.A., as the applicant wants to challenge the order dated 17.07.2017.

3. Leave as prayed for by the learned Advocate for the applicant. The necessary amendment be carried out on or before next date.

4. S.O. to 04.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 508/2017  
(Shri Syed Azam Syed Lal V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 07.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017



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

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

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 11.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

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

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 & 2. Shri Y.U. Kakade, learned Advocate for respondent No. 3, absent.

2. At the request of learned Advocate for the applicant, S.O. to 23.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 654/2017  
(Shri Nilesh G. Khamkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri A.N. Patil, learned Advocate holding for Shri S.S. Chapalgaonkar, learned Advocate for the applicant, Smt. Resha S. Deshmkh, learned Presenting Officer for respondent No. 1 and Shri Govind Chate, learned Advocate holding for Shri M.S. Narwade, learned Advocate for respondent Nos. 2 & 3.

2. At the request of learned Advocate for the applicant, S.O. to 07.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 720/2017  
(Shri Bhagwat T. Chaudhari V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri A.D. Sugdare, learned Advocate for the applicant (**Leave Note**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondent No. 1 and Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 & 3, are present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 07.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 797/2017  
(Smt. Chandrakala W. Gaikwad V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri D.T. Devane, learned Advocate for the  
applicant and Smt. Priya R. Bharaswadkar,  
learned Presenting Officer for respondents.

2. Learned Presenting Officer seeks time to file  
affidavit in reply on behalf of respondents. Time  
granted.

3. S.O. to 30.01.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**M.A. 505/2017 in M.A. 50/2017 in O.A. St. 107/2017  
(Shri Niwruttee K. Suradkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for respondents.

2. Issue notices to the respondents in M.A. No. 505/2017, returnable on 07-02-2018.

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 07-02-2018.

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. 698/2016  
(Shri Shriram M. Patil V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri A.D. Sugdare, learned Advocate for the applicant (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 07.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 882/2016  
(Shri Pradeep M. Kaushike V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 05.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017



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

**ORIGINAL APPLICATION NO. 65/2017  
(Shri Kundan V. Deshmukh V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Smt. Juee Palekar-Parlikar, learned Advocate holding for Shri S.D. Joshi, 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 05.02.2018.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION NO. 561/2017  
(Smt. Swati V. Suryawanshi V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri H.V. Patil, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 & 2 and Shri V.H. Dighe, learned Advocate for respondent No. 3.

2. Learned Advocate for the applicant has filed affidavit in rejoinder to the additional affidavit in reply filed by the respondent No. 1. Same is taken on record and the copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 10.01.2018. Interim relief granted earlier to continue till then.

**MEMBER (J)**

KPB ORAL ORDER 21-12-2017

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

**ORIGINAL APPLICATION ST. NO. 1913/2017  
(Shri Vitthal S. Lokhande V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has submitted that the applicant has been retired on 30.04.2013, but his pension papers had not been forwarded by the respondents to the Accountant General, Nagpur-II, till then on the ground that the Departmental Enquiry is pending against the applicant. The applicant is seeking directions from the respondents to forward his pension papers to the Accountant General, Nagpur-II.

3. Learned Advocate for the applicant has submitted that the claim of the applicant is regarding pension and it is a recurring cause of action and therefore, present Original Application is in time.

4. On going through the pleadings, it reveals that the applicant is seeking directions from the respondents to forward his pension papers to the Accountant General, Nagpur-II. The applicant was retired in the year 2013 and there is nothing on the record to show that the respondents have not prepared the pension papers and forwarded the same to the Accountant General, Nagpur-II.

5. On going through the paragraph No. 8 of the Original application, it reveals that the P.P.O. has been sanctioned by the respondent No. 5 on 27.05.2013. From the own pleadings of the applicant, it reveals that the pension has been sanctioned to him and therefore, no question to issue direction to the respondents to send the proposal and preparation of pension papers arises. The relief claimed by the applicant is redundant and therefore, O.A. cannot be entertained.

6. In view thereof, the Original Application is rejected without any order as to costs.

**MEMBER (J)**

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

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

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**OFFICE ORDER**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. The applicant is seeking direction to the respondent Nos. 2 and 3 to relieve him from the present post of PSI for joining on the promotional post of API in view of the promotion order dated 07.01.2017. It is contention of the applicant that there is a condition No. 7 in the promotion order which provides that the employees who should not be relieved from the present post, unless they produce caste validity certificate issued by the competent authority.

3. Learned Advocate for the applicant has relied on the judgment delivered by the Hon'ble High Court of Judicature of Bombay Bench at Aurangabad in **W.P. Nos. 2136/2011** in case of **Shrikant Chandrakant Saindane Vs. The State**

**of Maharashtra and Ors.** along with other W.Ps. **dated 25.08.2011**, by which the condition No. 7 in G.R. dated 5.11.2009 which prevents an appointment or promotion to a candidate belonging to backward class unless he possesses the validity certificate, has been struck off. He has submitted that in view of the said decision of the Hon'ble High Court, the condition No. 7 incorporated in the promotion order dated 7.1.2017 is illegal and therefore, it is just and proper to direct the respondent No. 3 to relieve the applicant immediately.

4. Learned Presenting Officer has submitted that she will take necessary instructions from the respondent No. 1 as to whether he will take corrective steps in view of the decision of the Hon'ble High Court so far as the condition No. 7 in the promotion order dated 07.01.2017 and therefore, she seeks time for taking instructions from the respondent Nos. 1 to 3 in that regard.

5. S.O. to 10.01.2018.

6. Learned P.O. to act upon steno copy.

**MEMBER (J)**

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

**ORIGINAL APPLICATION NO. 576/2015  
(Chakresh M. Mahajan 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri S.Y. Shinde, learned Advocate holding for Shri S.P. Dhoble, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.1.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**O.A. NO. 614/2017  
(Jeevan N. Wader 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri H.V. Patil, learned Advocate holding for Shri P.P. Uttarwar, 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 detailed affidavit in reply of the respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017



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

**O.A. NO. 946/2017  
(Namdeo L. More 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. Issue notices to the respondents in the O.A., returnable on 1.2.2018.

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 question such as limitation and alternate remedy are kept open.

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

7. S.O. to 1.2.2018.

8. Steno copy allowed to the both the sides.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**M.A. NO. 515/2017 IN O.A. ST. NO. 1881/2017  
(Chandidas B. Deshpande 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Smt. Suchita Upadhyay - Dhongde, learned Advocate holding for Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

2. It appears that wrong submissions are made by the applicant in the present M.A. for condonation of delay caused in filing accompanying O.A. According to applicant cause of action has been arisen to him on the date of judgment of Hon'ble High Court in the writ petition of another employee seeking same relief as is claimed by the applicant in the accompanying O.A. In the circumstances, the applicant may carry necessary amendment in the present M.A. otherwise face the result of dismissal of the M.A. S.O. to 4.1.2018 for the compliance from the side of applicant.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**ORIGINAL APPLICATION NO. 874/2016  
(Shrikant T. Mahajan 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Smt. Trupti Mahajan, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

2. The learned P.O. submits that as per the directions of the Tribunal in the order dtd. 5.12.2017 a decision has been taken by the added res. no. 5. He further submits that the said decision has been communicated by the res. no. 5 to the res. no. 1 and even the res. no. 1 has also taken a decision on the said recommendation of added res. no. 5. He submits on record copy of the said decisions along with copies of covering letters and the same are taken on record and marked as document 'X' collectively for the purpose of identification and the same are served upon the learned Advocate for the applicant. In the circumstances, S.O. to 9.1.2018 for making submissions from the side of the applicant in view of above decision of the respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**M.A. 440/2017 IN O.A. 662/2017  
(Shri Vijay Nana Thorat 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant in the present M.A., Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 & 2 in present M.A. and Shri S.R. Roundale, learned Advocate for respondent no. 3 in the present M.A. / applicant in O.A.

2. By the present M.A., the applicant is seeking vacation of ex-parte interim relief granted by the Tribunal vide order dtd. 16.9.2017 passed in O.A. no. 662/2017 to his appointment to the post of Stenographer (Lower Grade) with the respondents on the singular post from the S.T. category.

3. The present applicant as well as non applicant no. 3 – Shri Rohit Dilip Pandit – were selected up to the stage of oral interview for the above post (Annex. A. 1 page 16 in the O.A.). Annex. A-5 of the O.A. would show that, non-applicant no. 3 - Shri Rohit – has secured highest marks than the present applicant – Shri Vijay Nana Thorat – in the written examination and

proficiency test. Thereafter oral interview were held and due to assessment of marks granted in the oral interview the applicant stood first in merit. In the circumstances, appointment order came to be issued to him.

4. By way of interim relief granted by the Tribunal in the O.A. the said appointment is withheld.

5. The submissions of non applicant no. 3 – Shri Rohit Dilip Pandit and his learned Advocate would show that in view of G.R. dtd. 5.6.2017 (Annex. A.7) and more particularly para 5 (1) (page 32) oral interview for the post from category – C and category – B (Non-gazetted) is discontinued. In the circumstances, it is submitted that as the non applicant no. 2 – the Dist. Collector, Aurangabad / Chairman, Dist. Selection Committee – had committed illegality in conducting the oral interview, appointment order issued in favour of the present non-applicant no. 3 is illegal.

6. Shri V.B. Wagh, learned Advocate for present applicant – Shri Vijay Nana Thorat - submits that in the advertisement issued by the present non-applicant no. 2 (Annex. A. 2 page 17) it was specifically mentioned vide selection process item no. 1 (page 21) that the oral interview consisting of 20 marks would be taken of the candidates, who are selected from the

written examination etc. Therefore, in view of the settled provisions of law that once a candidate undergoes a selection process, he cannot challenge the same as has been highlighted in the case of **ASHOK KUMAR AND ORS. VS. STATE OF BIHAR AND ORS. ((2017) 1 SCC (LS) 822)** and in view of observations in para nos. 14 & 15, the present non-applicant no. 3 is stopped from challenging the said selection process.

7. On the other hand Shri Roundale, learned Advocate for present non applicant no. 3 – Shri Rohit Dilip Pandit – relies on the same ratio of **ASHOK KUMAR AND ORS** (supra) to show that illegality, if any, carried by the selection Committee would not estop a candidate from challenging the said selection process though he has undergone for the same. In para 14 of the said case Hon'ble Supreme Court has relied on the ratio laid down in the judgment of **RAJ KUMAR VS. SHAKTI RAJ (1997) 9 SCC 527** as above. The issue would be as to whether the advertisement declaring that the oral interview carrying 20 marks can be called as illegality.

8. The decision on the above issue in the present M.A. would in fact amount to decision of the O.A. itself. Presently as the posts of Members (Administrative) in Maharashtra Administrative Tribunal are vacant, the Division Bench is not functioning. In that view of the matter, instead of

making remarks on the application or non-application of the ratio laid down by the Hon'ble Supreme Court in the case of **ASHOK KUMAR AND ORS** (supra), it would be in the interest of applicant as well as non-applicant including the State Government to continue the interim relief granted by the Tribunal in the O.A. for further period of 4 months, with liberty to the present applicant to move the Tribunal again for vacation of said interim relief before the Division Bench as at that time it would be feasible for the Division Bench even to decide the O.A. on merit.

9. In the circumstances, I pass following order :-

**ORDER**

The present M.A. is dismissed without any order as to costs, with a liberty to the applicant in the present M.A. – Shri Vijay Nana Thorat – to file similar application after the period of 4 months for vacation of interim relief earlier granted by the Tribunal in the O.A..

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 662/2017  
(Rohit D. Pandit 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri S.R. Roundale, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondent nos. 1 & 2 and Shri V.B. Wagh, learned Advocate for respondent no. 3.

2. Since arguable case is made out, present O.A. is admitted.

3. The matter is removed from the board for time being and it be placed before the Division Bench as and when it is available. The interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017



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

**REV. APPLICATION NO. 5/2017 IN O.A. NO. 754/2012  
(Dr. Ansari Majid & 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. In view of absence of applicant and his  
learned Advocate, S.O. to 6.2.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**ORIGINAL APPLICATION NO. 339/2017  
(Ravsaheb A. Kakad & 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent nos. 1 & 2. None appears for respondent nos. 3 and 4 to 38.

2. The learned Advocate for the applicant files on record a true copy of the judgment rendered by the Division Bench of Hon'ble Bombay High Court in writ petition No. 11970/2017 dtd. 20.12.2017. It is taken on record and marked as document 'X' for the purpose of identification. He submits that, though the writ petition of the similarly situated employees like that of the present applicant is dismissed, the protection granted therein is continued till 10.1.2018 by the Hon'ble High Court. In the circumstances, he submits that the present matter may be posted in the month of January, 2018 awaiting the result, if any, of Special Leave Petition that may be filed by the petitioners in the said writ petition.

3. In view of above submissions, S.O. to 29.1.2018 for seeking status of the interim relief by the Hon'ble Supreme Court.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**ORIGINAL APPLICATION NO. 432/2017  
(Kishan P. Ghodekar 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 10.1.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**ORIGINAL APPLICATION NO. 402/2017  
(Bhagwan R. Chitrak & 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. Both the sides submit that, the issue regarding reservation in promotion is still pending before the Hon'ble Supreme Court. In that view of the matter, the present matter is removed from the Board with a liberty to both the sides to circulate the matter as and when exigency arises. The learned P.O. is directed to file affidavit in reply of the respondents in the mean time.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**ORIGINAL APPLICATION NO. 438/2017  
(Dr. Archana Umesh Tiwari @ Archana Girdhar Shukla 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. The learned P.O. files on record 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. S.O. to 18.1.2018 for hearing on admission.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**ORIGINAL APPLICATION NO. 602/2017  
(Dr. Roopali V. Utikar 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Shri Shamsundar B. Patil, learned Advocate for the applicant (**leave note**). Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, is present.

2. The learned P.O. submits that, in view of the assembly session the concerned respondent wants time to give her instructions on the line of order dtd. 4.12.2017. At her request, S.O. to 11.1.2018 for making submission on the line of order dtd. 4.12.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**ORIGINAL APPLICATION NO. 782/2017  
(Nitin K. Dighule & 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Shri A.B. Charak, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. The affidavit in reply of res. no. 2 would show that the res. no. 1 has to take a decision as to whether oral interviews are to be held or not and communication in this regard is already sent to res. no. 1. In the circumstances the res. no. 1 is directed to take a decision in that regard within a period of 6 weeks from today report thereof be filed on record by the learned P.O. on the next date. S.O. to 30.1.2017 for reporting compliance by the learned P.O.

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

**VICE CHAIRMAN**



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

**ORIGINAL APPLICATION NO. 810/2017  
(Shaligram M. Sonawane 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard Smt. Suchita Upadhyay – Dhongde,  
learned Advocate holding for Shri Suresh D.  
Dhongde, learned Advocate for the applicants  
and Shri I.S. Thorat, learned Presenting Officer  
for respondents.

2. At the request of learned P.O. S.O. to  
30.1.2018 for filing affidavit in reply of the  
respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017

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

**M.A. 420/2015 IN O.A. 420/2014  
(Manik B. Bidve 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. The learned Advocate for the applicant submits  
that the applicant was initially appointed on  
23.2.1984 and first time bound promotion was  
granted to him on 1.10.1996.

3. Upon hearing both the sides, it reveals that, it  
is necessary to have on record the information as to  
whether any employee from the batch of the present  
applicant or junior to him has been granted benefit of  
second time bound promotion scheme from 1.8.2008  
as claimed by the applicant, who is since  
superannuated without the said benefit. In the  
circumstances, both the sides to seek information in  
this regard and file documents on record on the next  
date. S.O. to 1.2.2018 for compliance of above order  
by both the sides.

4. Steno copy allowed to both the sides.

**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 : 21.12.2017.**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicants in all these matters and S/shri D.R. Patil, V.R. Bhumkar, I.S. Thorat, N.U. Yadav, M.P. Gude and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officers for the respondents in respective matters.

2. The respective learned P.Os. file on record communication as regard each of the applicants in the present group. Both the sides submit that except in MA 397/2017 IN CP ST. 1338/2017 IN OA 292/2016 (applicant Shri Pandurang V. Chavan) and MA 399/2017 IN CP ST. 1342/2017 IN OA 294/2016 (applicant Shri Hari N. Bhole) all the benefits are granted in other matters in this group. In MA 397/2017 IN CP ST. 1338/2017 IN OA 292/2016 (applicant Shri Pandurang V. Chavan) and MA 399/2017 IN CP ST. 1342/2017 IN OA 294/2016 (applicant Shri Hari N. Bhole) a minor payment is required to be

made. Shri Thorat, learned P.O., on instructions from Shri S.M. Choudhari, Education Officer (Continuous Education), Zilla Parishad, Parbhani, who is present in the Court hall, submits that the said payment would be made to the respective applicants within a period of two week.

3. In the circumstances, it appears that, nothing survives in the present M.As. and C.Ps. for further adjudication and, therefore, the same are hereby disposed of without any order as to costs, with acceptance of the undertaking as made by the learned P.O. in MA 397/2017 IN CP ST. 1338/2017 IN OA 292/2016 (applicant Shri Pandurang V. Chavan) and MA 399/2017 IN CP ST. 1342/2017 IN OA 294/2016 (applicant Shri Hari N. Bhole).

**VICE CHAIRMAN**

**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**

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OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Heard S/shri A.R. Tapse, S.S. Thombre and M.L. Muthal, learned Advocates for the applicants in respective matters and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these matters.

2. Upon hearing both the sides, it appears that, the present applicants and other similarly situated persons like the present applicants in W.P. no.2998/2014 dtd. 14.4.2014 (page 110) had relied on the ratio in the judgment of Shri A.P. Ramtekkar & Ors. Vs. Union of India & Ors. reported at 2013 (2) Mh. L.J. 419 (page 110) to address their submissions that despite invalidation of caste certificate an employee, who is appointed in reserved category can continue in the same post. On the other hand the learned P.O. has relied in the ratio laid down by Hon'ble Supreme Court in Civil Appeal no. 8928/2015. Both the sides are placing on record the material, which is *pari-materia* to the present cases. However, none of them are able to make submissions on the law of precedent, besides other points involved in the present applications.

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

3. In the circumstances, in order to enable both the sides to make submissions to fullest extent, S.O. to 9.1.2018 at 3.00 p.m. for hearing on continuation of the interim relief. The interim relief granted earlier to continue till then.

**VICE CHAIRMAN.**

ARJ ORAL ORDERS 21-12-2017

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

**ORIGINAL APPLICATION NO. 41/2014  
(Sunil N. Bargaje 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

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

2. The learned P.O. submits that, in view of the directions dtd. 1.8.2017, the Officer conversant with the issue, involved in the present matter, has in fact made a second affidavit. However, the issues those are involved in the present matter are still not properly replied in the said second affidavit also. He, therefore, seeks time to get corrective reply.

3. It is unfortunate to record that in spite of directions vide order dtd. dtd. 1.8.2017 the concerned respondent is acting in very gross negligent manner, which may result in imposing of heavy costs to be paid personally by him or of taking strict action against the said Officer. S.O. to 17.1.2018 as a last chance for filing reply by the concerned respondent.

**VICE CHAIRMAN**

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

**M.A. NO. 450/2017 IN OA ST. 1587/2017  
(Madhuri C. Pathak 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.**

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

**DATE : 21.12.2017.**

**ORAL ORDER :**

Smt. (Dr.) Kalpalata Patil Bharaswadkar,  
learned Advocate for the applicant (leave note).  
Shri M.P. Gude, learned Presenting Officer for  
respondents, is present.

2. In view of leave note of learned Advocate for  
the applicant, S.O. to 30.1.2018.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21-12-2017



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

**ORIGINAL APPLICATION NO. 454/2015  
(Ms. Shobha R. Choudhary 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 : 21.12.2017.**

**ORAL ORDER :**

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

2. The record would show that on 21.2.2017 this tribunal had raised a query as to whether G.R. dtd. 26.2.2013 granting benefit of compassionate appointment to the married daughter of deceased employee would be available to the applicant as her father has died on 9.5.2017. Thereafter, the learned Advocate either remained absent or sought time for satisfying the said query. More than 7 chances were granted for satisfaction of the query. On 31.10.2017, even the learned Advocate made a statement that there are further developments of passing of fresh Resolution by the Government in this regard. However, even after granting adjournment, no such G.R. is filed on record and today neither the applicant nor her Advocate is present. In the circumstances, S.O. to 17.1.2018 for making submissions on the line of above order and / or for passing order in default.

**VICE CHAIRMAN**