ORIGINAL APPLICATION NO.441/2018 (Manik Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018

ODAL ODDED

ORAL ORDER:

Heard Shri K.M.Nagarkar learned Advocate holding for Shri R.B.Ade learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

- 2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.
- 3. S.O. to 16-08-2018 for filing affidavit in rejoinder, if any.
- 4. Interim relief granted earlier to continue till then.

MEMBER (J)

M.A.No.268/2018 IN O.A.St.No.1144/2018 (Dr. Sumant Wagh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

 $\underline{\mathbf{CORAM}}$: B.P.PATIL, MEMBER (J)

DATE : 02.08.2018

ORAL ORDER:

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

- 2. Issue notice to the respondents in the M.A., returnable on 10-09-2018.
- 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. If notice is not collected within 7 days or service proof is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O.to 10-09-2018.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

M.A.No.486/2017 IN O.A.St.No.1663/2017 (Bhaskar Deshpande & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P.PATIL, MEMBER (J) DATE : 02.08.2018

ODAL ODDED

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, S.O. to 30-08-2018.

MEMBER (J)

M.A.No.09/2018 IN O.A.No.929/1999 (Narayan Wakchaure V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018

ORAL ORDER:

Heard Shri Sanket N. Suryavanshi learned Advocate for the applicant and Smt. M.S.Patni learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. to 31-08-2018 as a last chance, for filing affidavit in reply on behalf of the respondents.

MEMBER (J)

M.A.No.131/2018 IN O.A.No.891/2016 (Anil Salve V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018

ORAL ORDER:

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

2. At the request of learned Presenting Officer, S.O. to 03-09-2018 for filing affidavit in reply on behalf of the respondents.

MEMBER (J)

M.A.No.145/2018 IN O.A.St.No.310/2018 (Vaijnath Karadkhele V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018

ORAL ORDER:

Heard Shri Kakasaheb B. Jadhav learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for respondents.

2. At the request of learned Presenting Officer, S.O. to 03-09-2018 for filing affidavit in reply on behalf of the respondents.

MEMBER (J)

M.A.No.187/2018 WITH M.A.No.188/2018 IN O.A.No.77/2018 (Manohar Gaikwad & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018

ORAL ORDER:

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

- 2. Learned P.O. has not filed affidavit in reply on behalf of the respondents in M.A.No.187/2018.
- 3. M.A.No.187/2018 has been filed condonation of delay presuming that application for bringing Legal Representatives (LRs) of the deceased applicant can be filed within 1 month. In fact, a period of 90 days is provided for brining LRs on record. Therefore, there is no delay in filing the application for bringing LRs as original applicants on record. Hence, M.A.No.187/2018 deserves to be allowed. Accordingly, M.A.No.187/2018 is allowed. No costs.

MEMBER (J)

M.A.No.188/2018 IN O.A.No.77/2018 (Manohar Gaikwad & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018

ORAL ORDER:

Heard Ku. Preeti Wankhade learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

- 2. Issue notice to the respondents in the M.A., returnable on 11-09-2018.
- 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. If notice is not collected within 7 days or service proof is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O.to 11-09-2018.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

M.A.No.254/2018 IN O.A.No.943/2016 (Uttam Bahirwad died through LRs V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018

ORAL ORDER:

Heard Shri G.N.Kulkarni learned Advocate for the applicant and Smt. M.S.Patni learned Presenting Officer for respondents.

- 2. Issue notice to the respondents in the M.A., returnable on 14-09-2018.
- 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. If notice is not collected within 7 days or service proof is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.
- 8. S.O.to 14-09-2018.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO.111/2018 (Prashant Padgham V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018

ORAL ORDER:

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

2. At the request of learned Presenting Officer, S.O. to 16-08-2018.

MEMBER (J)

M.A. No. 330/2017 in O.A. NO. 578/2016 (Shri Chandrashekhar H. Dongaonkar & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for respondent No. 1 and Shri D.T. Devane, learned Advocate for respondent Nos. 2 to 4.

2. At the request of learned Presenting Officer, as a last chance, S.O. 14.09.2018 for filing affidavit in reply in M.A.

MEMBER (J)

ORIGINAL APPLICATION NO. 84/2018 (Shri Bhunesh B. Maske V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Shri H.V. Patil, learned Advocate for the applicant, Shri B.S. Devkar, learned Presenting Officer for respondent Nos. 1 & 2 and Shri Amol Patale, learned Advocate holding for Shri M.D. Gitte, learned Advocate for respondent No. 3.

2. At the request of learned Advocate for respondent No. 3, S.O. 14.09.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 71/2017 (Shri Mahadeo G. Kandalgaonkar & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

2. Pleadings are complete. Hence, the present O.A. is admitted and it be kept for final hearing on 19.09.2018.

MEMBER (J)

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

2. At the request of learned Advocate for the applicant, 03.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 15/2018 (Smt. Sk. Sabiyabee Illiyas V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Shri Sushil Irale Patil, learned Advocate holding for Shri D.R. Irale Patil, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 to 3 and Shri P.P. Tapse, learned Advocate holding for Shri S.B. Sable, learned Advocate for respondent No. 4.

- 2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the other side.
- 3. S.O. to 06.09.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 570/2018 (Dr. Manisha G. Kharade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Shri N.R. Thorat, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

- 2. Issue notices to the respondents, returnable on 12.09.2018.
- 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 dismissed without reference to Tribunal and papers be consigned to record.
- 8. Reply be filed on or before 12-09-2018.
- 9. S.O. 12-09-2018.
- Steno copy and hamdust is allowed to both 10. the sides.

MEMBER (J)

M.A. No. 243/2018 in O.A. St. No. 956/2018 (Shri Kashinath V. Alane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 02.08.2018.

ORAL ORDER:

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

- 2. Issue notices to the respondents in M.A., returnable on 10.09.2018.
- 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. Reply be filed on or before 10-09-2018.
- 9. S.O. 10-09-2018.
- 10. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

M.A. No. 256/2018 in O.A. St. No. 535/2018 (Shri Vinod D. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

- 2. Issue notices to the respondents in M.A., returnable on 10.09.2018.
- 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. Reply be filed on or before 10-09-2018.
- 9. S.O. 10-09-2018.
- 10. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

M.A. No. 267/2018 in O.A. St. No. 1269/2018 (Shri Kapil I. Sontakke & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Shri S.C. Swami, learned Advocate holding for Shri V.D. Gunale, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for 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 numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (J)

O.A. St. No. 1269/2018 (Shri Kapil I. Sontakke & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Shri S.C. Swami, learned Advocate holding for Shri V.D. Gunale, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

- 2. Issue notices to the respondents, returnable on 14.09.2018.
- 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 returnable date, O.A. before shall dismissed without reference to Tribunal and papers be consigned to record.
- 8. Reply be filed on or before 14-09-2018.
- 9. S.O. 14-09-2018.
- 10. Steno copy and hamdust is allowed to both the sides.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 1259/2018 (Shri Sk Nabi Sk. Muqbul V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

- 2. Learned Advocate for the applicant has submitted that the applicant is going to file the application for condonation of delay.
- 3. Hence, the present matter be removed from the board and it be kept after the application for condonation is filed.

MEMBER (J)

M.A. St. 1260/2018 in O.A. St. No. 1261/2018 (Shri Datta D. Waghmare & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

- 2. Learned Advocate for the applicants has submitted that the applicants are going to file the application for condonation of delay.
- 3. Hence, the present matter be removed from the board and it be kept after the application for condonation is filed.

MEMBER (J)

M.A. No. 159/2018 in O.A. St. No. 529/2018 (Shri Shriram B. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Shri V.G. Salgare, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for respondents

- 2. Learned Advocate for the applicants has submitted that the applicants intend to file separate O.As. and therefore, he seeks leave of this Tribunal to withdraw the present M.A., as well as, O.A. with liberty to file separate O.As.
- 3. In view of the submissions made by the learned Advocate for the applicants, leave as prayed for by the applicants is granted. The M.A. and O.A. are disposed of as withdrawn with liberty to the applicants to file separate O.As. There shall be no order as to costs.

MEMBER (J)

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

- 2. Learned Presenting Officer seeks time to produce record regarding the decision taken by the Secretary, Revenue and Forest Department, Mumbai, if any on the proposal sent by the respondent no. 2 in view of the order passed by this Tribunal in O.A. No. 675/2003 on 28.02.2005. Time granted.
- 3. S.O. to 27.08.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 388/2017 (Shri Ramdhan P. Pawale & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

- 2. In the present Original application, the applicants have claimed the relief to direct the respondents to decide the proposal dated 14.01.2016 as well as the representations dated 27.08.2016, 15.09.2016 & 27.09.2016 filed by him.
- 3. Learned Presenting Officer has submitted that he has no instructions as on today as to whether the proposal and representations have been decided by the respondents and therefore, he seeks short time to take instructions from the respondents in that regard. Time granted.
- 4. S.O. to 06.08.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 425/2017 (Shri Prasad F. Pawar & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Dr. Swapnil Tawshikar, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for respondents

- 2. Learned Advocate for the applicants and learned Presenting Officer are unable to explain as to whether the person appointed as a Craft Electronics Instructor Mechanic and Craft Instructor Electronics can be appointed as Craft (Information Communication Instructor & Technology System Maintenance) and therefore, they are directed to produce document on record showing the qualification for the appointment on the post of Craft Instructor (ICTSM).
- 3. S.O. to 24.08.2018. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 734/2017 (Dr. Atul Ladvanjari & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Shri J.S. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1 & 2 and Shri G.D. Jain, learned Advocate for respondent Nos. 3 & 4.

3. As none present for the applicant, S.O. to 28.08.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 932/2017 (Shri Walmik L. Kande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

- 3. Learned Presenting Officer seeks time to inform the Tribunal as to whether the respondent No. 1 had decided the representation/appeal filed by the applicant on 24.10.2016. Time granted.
- 4. S.O. to 28.08.2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 59/2018 (Shri Umesh C. Parate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

3. At the request of learned Advocate for the applicant, S.O. to 07.08.2018 for filing rejoinder affidavit. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 155/2018 (Shri Arjun D. Kharat V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

- 3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 to 4. Time granted.
- 4. S.O. to 27.08.2018.

MEMBER (J)

KPB ORAL ORDER 02-08-2018

ORIGINAL APPLICATION NO. 180/2018 (Shri Harshwardhan G. Gawali V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

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

3. At the request of learned Advocate for the applicant, S.O. to 28.08.2018.

MEMBER (J)

KPB ORAL ORDER 02-08-2018

ORIGINAL APPLICATION NO. 352/2018 (Dr. Prashant M. Pokharkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE: 02.08.2018.

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate holding for Shri C.K. Shinde, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondent Nos. 1 & 2 and Shri P.P. Kothari, learned Advocate holding for Shri P.V. Tapse Patil, learned Advocate for respondent No. 3.

- 3. Today, learned Advocate for the applicant has placed on record a copy of the representation dated 14.06.2018 made with the respondent No.
- 1. Same is taken on record and marked as document 'X' for the purposes of identification. He has submitted that the representation of the applicant is pending with the respondent No. 1 and therefore, the respondent No. 1 may be directed to take appropriate decision on the representation of the applicant on merit within a

stipulated time and with the said directions, the present O.A. may be disposed of.

- 4. Learned Presenting Officer has submitted that necessary orders may be passed and reasonable time may be given to the respondent No. 1 to decide the representation of the applicant.
- 5. In view of the submissions made by the learned Advocate for the applicant, the present Original Application is disposed of with a direction to the respondent No. 1 to decide the representation of the applicant on merit within a period of six weeks from the date of this order. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 02-08-2018

ORIGINAL APPLICATION NO. 353/2018 (Dr. Shashikant M. Dumbare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 02.08.2018.

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate holding for Shri C.K. Shinde, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 & 2 and Shri P.P. Kothari, learned Advocate for respondent No. 3.

- 3. Today, learned Advocate for the applicant has placed on record a copy of the representation dated 19.06.2018 made with the respondent No.
- 1. Same is taken on record and marked as document 'X' for the purposes of identification. He has submitted that the representation of the applicant is pending with the respondent No. 1 and therefore, the respondent No. 1 may be directed to take appropriate decision on the representation of the applicant on merit within a stipulated time and with the said directions, the present O.A. may be disposed of.

- 4. Learned Presenting Officer has submitted that necessary orders may be passed and reasonable time may be given to the respondent No. 1 to decide the representation of the applicant.
- 5. In view of the submissions made by the learned Advocate for the applicant, the present Original Application is disposed of with a direction to the respondent No. 1 to decide the representation of the applicant on merit within a period of six weeks from the date of this order. There shall be no order as to costs.

MEMBER (J)

KPB ORAL ORDER 02-08-2018

ORIGINAL APPLICATION NO. 568/2018 (Sonyabapu G. Bachkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

: 2.8.2018 DATE

ORAL ORDER:

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

- 2. On the request of learned Advocate for the applicant, permission is hereby granted for amending The learned Advocate for the applicants undertakes to amend the O.A. forthwith.
- 3. In the circumstances, issue notice before admission to the respondents, returnable 11.9.2018.
- 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 0.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

::-2-:: O.A. NO. 568/18

(Procedure) Rifles, 1988, and the questions such as limitation and alternate remedy are kept open.

- 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 9. S.O. to 11.9.2018.
- 10. Steno copy / humdast allowed for both the sides.

MEMBER (A)

ORIGINAL APPLICATION NO. 571/2018 (Rupali R. Kharse V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM - AMILI DA I CILADIIA MEMDED (A)

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

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

- 2. Shri H.A. Joshi, learned Advocate appears and submits that he will file misc. application for intervention in the present O.A. within a period of one week. He is permitted to do so.
- 3. Issue notice before admission to the respondents, returnable on 5.9.2018.
- 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 0.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

::-2-:: O.A. NO. 571/18

(Procedure) Rifles, 1988, and the questions such as limitation and alternate remedy are kept open.

- 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 9. S.O. to 5.9.2018.
- 10. Steno copy / humdast allowed for both the sides.

MEMBER (A)

M.A. 265/2018 IN O.A. ST. NO. 1173/2018 (Smita U. Dandi & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

: 2.8.2018 DATE

ORAL ORDER:

Heard Shri R.O. Awasarmol, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

- 2. The present misc, application has been filed by the applicants for leave to sue jointly the accompanying O.A.
- 3. For the reasons stated in the present M.A., 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.
- In the circumstances, the present M.A. is 4. disposed of without any order as to costs.
- 5. Accompanied O.A. be registered and numbered after removal of office objections, if any.

MEMBER (A)

O.A. ST. NO. 1173/2018 (Smita U. Dandi & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CODAM - AMIL DA I CHADHA MEMDED (A)

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

Heard Shri R.O. Awasarmol, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

- 2. Issue notice before admission to the respondents, returnable on 11.9.2018.
- 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 0.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) Rifles, 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

<u>::-2-::</u> O.A. ST. NO. 1173/18

compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

- 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 8. S.O. to 11.9.2018.
- 9. Steno copy / humdast allowed for both the sides.

MEMBER (A)

ORIGINAL APPLICATION NO. 45/2017 (Sunita R. Thite V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

None appears for the applicant. Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 11.9.2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 788/2017 (Ashok T. Chobale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

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

2. In view of absence of applicant and his learned Advocate, S.O. to 11.9.2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 845/2017 (Rambhau L. Kuskar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

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

- 2. Though on the last occasion i.e. on 11.7.2018, learned Advocate for the applicant has requested for grant of time to file rejoinder, however, till today no rejoinder has been filed. He seeks further time to file rejoinder. Time granted as a last chance.
- 3. S.O. to 7.9.2018 for filing rejoinder, if any.

MEMBER (A)

ORIGINAL APPLICATION NO. 963/2017 (Vasant D. Karke & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned P.O., S.O. to 3.8.2018.

MEMBER (A)

C.P. 14/2015 IN O.A. 893/2011

(Ramrao D. Misal V/s. State of Maharashtra & Ors.)
AND

C.P. 15/2018 IN O.A. 892/2011

(Baburao V. Sanap Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants in both the matters and Shri M.P. Gude & Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents in respective matters.

- 2. Learned P.O. has submitted a copy of letter dtd. 1.8.2018 received to him Assistant from the Administrative Officer, Divisional Deputy Director of Education, Aurangabad stating that some time will be required to comply to the clarification sought by the Administration General Department. The said communication is taken on record and marked as document 'X' for the purpose of identification.
- 3. Hence, S.O. to 14.9.2018 as a last chance, failing which the Tribunal would be constrained to take coercive action against the concerned respondents.
- 4. Steno copy allowed for the use of learned P.O. for the respondents.

MEMBER (A)

O.A. NO. 117/2018 AND O.A. NO. 928/2017 (Ujwala G. Ingle and Santosh T. Vaidya V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

(This matter is placed before the Single

Bench due to non-availability of Division

Bench.)

DATE : 2.8.2018

ORAL ORDER:

None appears for the applicants in both the matters. Shri D.R. Patil, learned Presenting Officer for the respondents in both the matters, is present.

- 2. Learned P.O. undertakes to file affidavit in reply of res. no. 2 in O.A. no. 117/2018. It be taken on record and copy thereof be served upon the learned Advocate for the applicant. He also seeks time for filing affidavit in reply of res. no. 3.
- 3. At the request of learned P.O., S.O. to 14.9.2018 for filing affidavit in reply of res. no. 3 in O.A. no. 117/2018.

MEMBER (A)

M.A. NO. 194/2018 IN O.A. ST. 704/2018 (Nilesh S. Badgujar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

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

- 2. Learned P.O. seeks time for filing affidavit in reply of res. no. 2 in the present M.A. Time granted.
- 3. S.O. to 12.9.2018.

MEMBER (A)

M.A. 238/2018 IN O.A. 77/2017

(Rajesh B. Yawalkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

None appears for the applicant. Shri B.S. Deokar, learned Presenting Officer for the respondents, is present.

2. Though the applicant has filed the present M.A. for amending the O.A., however, necessary amendments are not made in the O.A., till date. In the circumstances, as a last chance, S.O. to 16.8.2018.

MEMBER (A)

ORIGINAL APPLICATION NO. 13/2015 (Haribhau K. Waghe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

CORAM : ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

None appears for the applicant. Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. In view of non availability of Division Bench, S.O. to 7.9.2018 for final hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 417/2015 (Kalyan B. Ghuge V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

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

2. In view of non availability of Division Bench, S.O. to 7.9.2018 for final hearing.

MEMBER (A)

T.A. 7/2016 (W.P. 1533/2015) (Chandrakala K. Navgire V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

Heard Smt. Firdose Shaikh, learned Advocate holding for Smt. Naseem Shaikh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. In view of non availability of Division Bench, S.O. to 7.9.2018 for final hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 560/2016 (Ashok B. Kamble V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

Heard Shri H.V. Patil, learned Advocate for the applicant and Shri M.S. Patni, learned Presenting Officer for the respondents.

2. In view of non availability of Division Bench, S.O. to 5.9.2018 for final hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 852/2016 (Ankush K. Tekale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

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

2. In view of non availability of Division Bench, S.O. to 5.9.2018 for final hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 614/2017 (Jeevan N. Wader V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: ATUL RAJ CHADHA, MEMBER (A)

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

Bench.)

DATE : 2.8.2018

ORAL ORDER:

Heard Shri H.V. Patil, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. In view of non availability of Division Bench, S.O. to 5.9.2018 for final hearing.

MEMBER (A)