

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 703/2017
(Shri Vasant Vs. The State of Maharashtra and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-availability
of Division Bench.)

DATE : 29.09. 2017.

ORAL ORDER:

Ms. Ashwini P. Sahasrabudhe, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learner Advocate for the applicant has submitted that her senior Shri A.S. Deshmukh, is busy before the Hon'ble High Court.

3. At her request, S.O. to 3.10.2017.

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

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

ORIGINAL APPLICATION NO. 589/2017
(Shri Kailas Vs. The State of Maharashtra and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09. 2017.

ORAL ORDER:

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

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

3. At his request, S.O. to 16.11.2017. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 364/2017
(Shri Hari Vs. The State of Maharashtra and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09. 2017.

ORAL ORDER:

Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

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

Time granted.

3. At her request, S.O. to 09.11.2017. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 563/2017
(Smt. Pushpalata Vs. The State of Maharashtra and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09. 2017.

ORAL ORDER:

Ms. Ashwini P. Sahasrabudhe, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri M.R. Kulkarni, learned Advocate for respondent No. 4.

2. Learned Advocate for respondent No. 4 seeks time to file affidavit in reply. Time granted.

3. At his request, S.O. to 9.11.2017. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

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

ORIGINAL APPLICATION ST. NO. 1477/2017
(Shri Sudhakar Vs. The State of Maharashtra and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09. 2017.

ORAL ORDER:

Shri S.D. Joshi, learned Advocate for the applicant (**Leave Note**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, present.

2. In view of the leave note filed by the learned Advocate for the applicant, S.O. to 08.11.2017.

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

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

**M.A. No. 392/2017 in O.A. St. No. 1002/2017
(Smt. Rekhabai Vs. The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09. 2017.

ORAL ORDER:

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

2. Issue notices to the respondents in M.A., returnable on 15.11.2017.

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

4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 15-11-2017.

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

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 658/2017
(Shri Shivaji Vs. The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09. 2017.

ORAL ORDER:

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent. Same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. On instructions, learned Advocate for the applicant submits that the impugned order of suspension of the applicant is revoked and therefore, nothing survives in the O.A. Therefore, the applicant may be granted liberty to withdraw the O.A.

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

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

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

**ORIGINAL APPLICATION NO. 601/2017
(Smt. Sarla Vs. The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09. 2017.

ORAL ORDER:

Heard Shri V.P. Golewar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.11.2017.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 15-11-2017.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

FARAD CONTINUATION SHEET

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

**ORIGINAL APPLICATION NO. 536/2017
(Shri Harichandra Vs. The State of Maharashtra and Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09. 2017.

ORAL ORDER:

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

2. Prayer clause-D appears to be beyond limitation. Learned Advocate for the applicant to make submission on the said issue.

3. S.O. to 11.10.2017 for hearing on prayer clause-D.

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

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

ORIGINAL APPLICATION NO. 443/2017
(Dr. Uttam Vs. The State of Maharashtra and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-availability
of Division Bench.)

DATE : 29.09. 2017.

ORAL ORDER:

Heard Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that in fact the applicant is a cancer patient.

3. Learned Presenting however seeks time. In these circumstances, as a last chance, S.O. to 1.11.2017, for taking steps, by the respondents.

VICE CHAIRMAN

ORAL ORDERS 29.09.2017-kpb

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

M.A. St. 1409/17 in C.P. St. 1410/17 in C.P. 3/93 in O.A. 291/91
(Shri Arvind Vs. The State of Maharashtra and Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-availability
of Division Bench.)

DATE : 29.09. 2017.

ORAL ORDER:

Heard Shri C.R. Thorat, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Upon hearing both the parties, it appears that the dead cause is being ruins revived as the order passed in C.P. in the year 1993, Misc. Application is of the year 2017. Since, this issue has been raised safe-side by this Tribunal, time is granted to the learned Advocate for the applicant to withdraw or for hearing on this issue.

3. S.O. to 1.11.2017, for satisfying the above query.

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 708 OF 2017
(Shri Vishalkumar A. Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

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

2. The present Original Application,
apparently, is barred by limitation. Learned
Advocate for the applicant therefore heard on
this issue first.

3. S.O. to 11th October, 2017 for hearing on
the point of limitation.

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**ORIGINAL APPLICATION NO. 513 OF 2017
(Shri Dinkar R. Bhosrekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

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

2. Service affidavit filed by the applicant would show that respondent No. 4 viz. the Collector, Latur, (may be "dispatch clerk") has refused to accept the notice and memo of the Original Application, by hand.

3. In the circumstances, issue notice to respondent No. 4, returnable on 12th October, 2017.

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 O.A.. Respondent is put to notice that the case would be taken up

for final disposal at the stage of admission hearing.

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. The Collector, Latur, may make enquiry regarding refusal of notice served on him and take appropriate action against the erring clerk/officer as may be deemed fit.

9. S.O. to 12th October, 2017.

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

VICE CHAIRMAN

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

**ORIGINAL APPLICATION NO. 591 OF 2017
(Shri Sachin B. Jagtap V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

Heard Shri S.P. Dhoble, learned Advocate holding for Shri N.L. Choudhary, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the copy of the list of offences, which was sent along with application form, is not available.

3. In the circumstances, issue notices to the respondents, returnable on 15th November, 2017.

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 O.A.. Respondents are put to notice that the case would be taken up

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O.A. NO. 591 OF 2017

for final disposal at the stage of admission hearing.

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. S.O. to 15th November, 2017.

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

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**M.A.NO. 360/2016 IN O.A.ST.NO. 1544/2016
(Shri Ram B. Pawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

Heard Shri C.R. Thorat, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent No. 1. Shri S.D. Joshi, learned Advocate for respondent No. 2 has filed leave note.

2. In view of leave note filed by the learned Advocate for respondent No. 2, S.O. to 31st October, 2017.

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**M.A.NO. 355/2017 IN O.A.NO. 461/2013
(Smt. Varsha V. Paratwagh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

Heard Ms. Ashelsha Raut, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. S.O. to 6th November, 2017 for order.

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**ORIGINAL APPLICATION NO. 237 OF 2013
(Smt. Kaveri V. Chavan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

Heard Shri P.G. Gunale, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for respondent Nos. 1 to 4. Shri P.A. Harshe, learned Advocate for respondent No. 5. None appears for respondent No. 6 though duly served.

2. It appears from the proceedings that respondent No. 6, who is private respondent, sent a private correspondence to this office. His identity is not known. Communication, therefore, be filed.

3. Learned Presenting Officer submits that affidavit in reply to the amended portion of the O.A. remained to be filed.

4. At the request of learned P.O., S.O. to 7th November, 2017 for filing reply to the amended O.A.

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**ORIGINAL APPLICATION NO. 303 OF 2014
(Shri Prakash N. Shrivastav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

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

2. Upon hearing both the parties, it appears that the decision on merit is required by the Division Bench. Hence, this case be removed from the board and it be placed before the Division Bench, as and when, it is available.

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**ORIGINAL APPLICATION NO. 305 OF 2014
(Shri Rohan V. Aundhekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

Heard Shri G.J. Kore, learned Advocate holding for Shri U.L. Momale, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for time.

3. It is to be noted that on the earlier two occasions also adjournments were sought by the learned Advocate for the applicant.

4. In the circumstances, time is granted as a last chance.

5. S.O. to 2nd November, 2017.

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**ORIGINAL APPLICATION NO. 304 OF 2014
(Shri Popat K. Bachkar & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

Heard Shri M.C. Syed, learned Advocate holding for Shri B.R. Borkar, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Learned Presenting Officer prays for time to clarify as to why in the advertisement No. 2/2011 issued on 31st December, 2011 (page-158 of paper book of the O.A.), 5% of the posts against each of the social reservation are not reserved in parallel reservation.

3. In the circumstances, at the request of learned Presenting Officer, **S.O. to 31st October, 2017, to enable her to get clarification.**

4. Learned Presenting Officer shall act upon the steno copy.

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**M.A.396/17 IN C.P.ST.1434/17 IN O.A. 522/14
(Shri Bhima V. Kapse & Ors. V/s. State of Maharashtra & Ors.)**

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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 : 29.09.2017.

ORAL ORDER :

Shri L.H. Kawale, learned Advocate for the applicants (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer has submitted that the copy of the contempt petition in which the copy of the order will be there is not served on him.

3. At the request of learned Presenting Officer and since nobody appears for the applicant, S.O. to 2nd November, 2017.

VICE CHAIRMAN

ORAL ORDERS 29-09-2017-HDD

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

**ORIGINAL APPLICATION NO. 684 OF 2017
(Dr. Devidas L. Lavhate V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : JUSTICE M.T. JOSHI, V.C.
(This matter is placed before the
Single Bench due to non-
availability of Division Bench)**

DATE : 29.09.2017.

ORAL ORDER :

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

2. Upon hearing the learned Advocate for the applicant, it appears that the notices can be issued to the respondents with a further direction that in case express order regarding exemption from the age is not passed by the concerned respondent, the respondent is directed to pass an express decision with reasons as to whether the case of the present applicant would come within an ambit of "exceptional or super specialist qualification" as per clause 7 (7.3) of the advertisement (page-21 of the paper book of O.A.) and file affidavit in reply.

3. In the circumstances, issue notices to the respondents, returnable on 2nd November, 2017.

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 O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. S.O. to 2nd November, 2017.

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

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.714/2017
(Shri Dhananjay Mahajan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 29.09.2017.

ORAL ORDER :

Heard Shri H.A.Joshi learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Upon hearing learned Advocate for the applicant, on instructions, he submits that the applicant wishes to withdraw the present O.A. He, further submits that, upon joining on the post where the present applicant is transferred, he may be allowed to make a representation for pointing out the difficulties of the applicant as well as the fact that the posts are vacant at the place from where he is transferred. Thereupon, respondents may be directed to take decision expeditiously on the said representation considering the difficulties of the applicant sympathetically.

3. Submissions of the learned Advocate for the applicant appear to be reasonable. Hence, present original application is disposed of as withdrawn without any order as to costs with direction to the concerned respondents to decide the representation of the applicant sympathetically within a period of 2 months from the date of receipt of the representation.

VICE CHAIRMAN