

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

**M.A. 280/17 IN CP ST. 898/17 IN OA 814/2015
(Shri Shivaji M. Borole Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Prima-facie contempt is committed.
3. Learned P.O. states that the order is complied in so far as the decision to be taken, and remaining process is to be completed at the level of the Government. However, the decision taken by the Divisional Commissioner is not communicated to the applicant nor to the Office of the learned P.O.
4. Had the decision been communicated to the applicant, eventually he may not have filed present M.A. & C.P.
5. It is seen that even the applicant's notice, demanding compliance, served on the Resp. no. 2 is not replied by the Resp. no. 2.

6. Therefore, it is necessary to call the affidavit of the Contemnor no. 2

7. Contemnor no. 2 is directed to file his own affidavit and answer the following points :-

- (a) Did he receive the notice issued by the applicant on 14.6.2017 (copy whereof is on record at page 22 of Contempt Petition), and what is the date of its receipt.
- (b) Date on which he has seen the notice.
- (c) Date on which he has read the said notice and took steps to reply it.
- (d) In case notice at page 22 is not replied, reasons which has constrained said failure.
- (e) What steps he would take to ensure that letters / notices received by his Office in his name are put up before him directly within one or two dates, and those received in the Office in official procedure are punctually attended.
- (f) Show cause as to why he should not be personally saddled with costs of Rs. 25,000/- for failing to reply the notice and thereby driving the applicant to file present Contempt Petition.

8. Affidavit be filed on or before 16.9.2017.
9. Learned P.O. is directed to communicate this order to the Contemnor no. 2.
10. S.O. to 16.9.2017.
11. Steno copy & hamdast allowed for the use of learned P.O.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

**O.A. ST. 3049/2016
(Shri Uttam R. Patil Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri Mohit Deshmukh, learned Advocate holding for Shri S.G. Chapalgaonkar, learned for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate for the applicant prays for leave to amend for adding averments explaining the aspect of limitation. He also prays for leave to delete prayer clause (b).

3. Leave to amend as prayed for is granted.

4. S.O. to 15.9.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

O.A. NO. 873/2016

(Shri Mayur P. Ladde & Anr. Vs. State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. The learned Advocate for the applicant seeks time to advance his submissions.
3. Time granted.
4. S.O. to 21.9.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

O.A. NO. 604/2016

(Shri Annarao L. Bhosale & Ors. Vs. State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Shri R.P. Bhumkar, learned for the applicant has filed leave note. Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents, is present.

2. In view of leave note of learned Adv. for the applicant, S.O. to 3.10.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

O.A. NO. 363/2016

(Shri Shriram B. Jadhav Vs. The State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri D.S. Kore, learned for the applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Learned P.O. states that the affidavits of Shri Sunil Porwal, Additional Chief Secretary (Energy) and of Shri Dineshkumar Jain, Additional Chief Secretary, Finance Department are received, and one week's time may be granted for filing the said affidavits.

3. Time granted.

4. S.O. to 14.9.2017 for filing affidavits.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

**O.A. ST. NO. 967/2017
(Shri Sharad G. Jade Vs. State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri Sham Patil, learned Advocate holding for Shri V.B. Wagh, learned for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. If office objection regarding limitation is not removed within 2 weeks, O.A. shall stand dismissed without reference to the Bench.

3. In case objection is removed, list the O.A. for admission hearing / orders on 21.9.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

O.A. NO. 697/2016

((Dr.) Santosh S. Hindole & Ors. Vs. State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Shri J.S. Deshmukh, learned for the applicants **(leave note)**. Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents, is present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 4.10.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

O.A. NO. 517/2017

(Shri Anup S. Kulikarni Vs. State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Shri S.B. Bhosale, learned for the applicant **(absent)**. Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents, is present.

2. In view of absence of applicant & his learned Advocate, S.O. to 21.9.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
MA ST. 871/2017 IN CP ST. 872/2017 IN OA 838/2015
(Shri Ramdas T. Patil Vs. State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri S.P. Dhobale, learned Advocate holding for Shri R.P. Bhumkar, learned for the applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. At the request of Shri Dhobale, learned Advocate holding for Shri Bhumkar, learned Advocate for the applicant, S.O. to 16.9.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

**MA 243/2015 IN CP ST. 921/2015 IN OA 619/2003
(Shri Siraj Nizamoddin & Ors. Vs. State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri Sham Patil, learned for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. In the midst of hearing the learned Advocate for the applicant prays for permission to withdraw this M.A. & C.P. with liberty to take recourse to the remedy as available in Law.

3. Hence, M.A. & C.P. are disposed of with liberty as prayed for.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

O.A. NO. 557/2017

(Shri Amrapalee A. Khandare Vs. State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri S.P. Dhobale, learned for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. At the request of learned P.O., S.O. to 3.10.2017 for filing affidavit in reply of the respondents. The interim relief granted earlier to continue till filing of affidavit in reply by the respondents.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

O.A. NO. 79/2017

(Shri Md. Kamran Md. Abrar Sk. Vs. State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri S.D. Dhongde, learned for the applicants and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the Respondents.

2. Admit.

3. Issue notices for final disposal to the respondents, returnable on 9.11.2017.

4. Applicant is authorized and directed to serve on respondents this admission notice duly authenticated by Registry. Respondents are put to notice that the case would be taken up for final hearing.

5. This 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. Applicant is directed to file affidavit of compliance and proof of service.

7. This matter be placed for final hearing before the Division Bench, as and when it is available, with liberty to both the sides to move for early hearing.

CHAIRMAN.

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

O.A. NO. 857/2016

(Shri Bhikan P. Sonar & Ors. Vs. State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri S.D. Dhongde, learned for the applicants and Shri I.S. Thorat, learned Presenting Officer for the Respondents.

2. Admit.

3. Issue notices for final disposal to the respondents, returnable on 9.11.2017.

4. Applicant is authorized and directed to serve on respondents this admission notice duly authenticated by Registry. Respondents are put to notice that the case would be taken up for final hearing.

5. This 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. Applicant is directed to file affidavit of compliance and proof of service.

7. This matter be placed for final hearing before the Division Bench, as and when it is available, with liberty to both the sides to move for early hearing.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

**MA 481/2015 IN CP ST 1738/2015 IN OA 436/2012
(Shri Sambhaji M. Raut Vs. State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

None appears for the applicant. Shri M.P. Gude, learned Presenting Officer for the Respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 4.12.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

**MA 402/2015 IN CP ST. 1406/2015 IN OA 236/2014
(Shri Adhikrao S. Mane Vs. State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant states that the Misc. Application & the Contempt Petition can be disposed of as the compliance as required is done.

3. In view of above statement of the learned Advocate for the applicant, the M.A. & C.P. are disposed of without any order as to costs.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

O.A. NO. 614/2017

(Shri Jeevan N. Wader Vs. State of Mah. & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri P.P. Uttarwar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. states that the file of appointment of subject matter is pending for approval before Hon'ble Chief Minister.

3. It is hoped that the file be got cleared from the office of Hon'ble Chief Minister on or before the next date, and the process of appointments ought to begin.

4. For reporting action as may be completed, S.O. to 7.9.2017.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

**M.A. 359/17 IN CP ST. 1286/17 IN OA 699 & 718/2017
(Arun S. Mali & Ors. Vs. The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

Heard Shri V.B. Dhage, learned for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. Prima-facie contempt is committed.
3. Had the order passed by the Tribunal in O.As. is complied with by the respondents, eventually he may not have filed present M.A. & C.P.
4. It is seen that even the applicant's notice dtd. 3.7.2017 demanding compliance, served on the Respondents, is not replied by the Respondents.
5. Therefore, it is necessary to call the affidavits of the Contemnor nos. 1 to 3.
6. Contemnor nos. 1 to 3 are directed to file their own affidavits and answer the following points :-

- (a) Did they receive the notice issued by the applicant on 3.7.2017 (copy whereof is on record at page 32 of Contempt Petition), and what is the date of its receipt.
- (b) Date on which they have seen the notice.
- (c) Date on which they have read the said notice and took steps to reply it.
- (d) In case notice at page 32 is not replied, reasons which has constrained said failure.
- (e) What steps they would take to ensure that letters / notices received by their Office in their name are put up before them directly within one or two dates, and those received in the Office in official procedure are punctually attended.
- (f) Show cause as to why they should not be personally saddled with costs of Rs. 25,000/- for failing to reply the notice and thereby driving the applicant to file present Contempt Petition.

7. Affidavit be filed on or before 16.9.2017.

:-3:-
M.A. 359/17 IN CP ST.
1286/17 IN OA 699 &
718/2017

8. Learned P.O. is directed to communicate this order to the Contemnor nos. 1 to 3.

9. S.O. to 16.9.2017.

10. Steno copy & hamdast allowed for the use of learned P.O.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

M.A. 335/17 IN CP ST. 1200/17 IN OA 805/2016

(Shri Firoz K. Jamadar Vs. The State of Mah.&Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

**CORAM : HON'BLE JUSTICE A.H. JOSHI,
CHAIRMAN**

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

DATE : 4.9.2017.

ORAL ORDER :

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

2. Prima-facie contempt is committed.
3. Had the order passed by the Tribunal in O.As. is complied with by the respondents, eventually he may not have filed present M.A. & C.P.
4. It is seen that even the applicant's notice dtd. 3.7.2017 (page 17 of C.P.) demanding compliance, served on the Respondents, is not replied by the Respondent no.1.
5. Therefore, it is necessary to call the affidavits of the Contemnor no. 1.
6. Contemnor no. 1 is directed to file his own affidavit and answer the following points :-

- (a) Did they receive the notice issued by the applicant dtd. 3.7.2017 (page 17 of C.P.), and what is the date of its receipt.
- (b) Date on which he has seen the notice.
- (c) Date on which he has read the said notice and took steps to reply it.
- (d) In case notice at page 17 is not replied, reasons which has constrained said failure.
- (e) What steps he would take to ensure that letters / notices received by his Office in his name is put up before him directly within one or two dates, and those received in the Office in official procedure are punctually attended.
- (f) Show cause as to why he should not be personally saddled with costs of Rs. 25,000/- for failing to reply the notice and thereby driving the applicant to file present Contempt Petition.

7. Affidavit be filed on or before 16.9.2017.

8. Learned P.O. is directed to communicate this order to the Contemnor nos. 1 to 3.

9. S.O. to 16.9.2017.

10. Steno copy & hamdast allowed for the use of learned P.O.

CHAIRMAN.

ARJ ORAL ORDERS 4.9.2017

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri S.D. Dhongde, 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 4.10.2017.

MEMBER (J)

ORAL ORDER 04-09-2017 KPB (SB) BPP

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

**ORIGINAL APPLICATION NO. 11/2017
(ShriSubhash K. Dahale V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 4.10.2017.

MEMBER (J)

ORAL ORDER 04-09-2017 KPB (SB) BPP

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

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

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Shri A.B. Katkar, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for respondents, present.

2. It transpires from the proceedings that on so many dates i.e. on 27.03.2017, 3.5.2017, 10.7.2017 and 7.8.2017, none present for the applicant.

3. Hence, S.O. to 5.10.2017 for dismissal.

MEMBER (J)

ORAL ORDER 04-09-2017 KPB (SB) BPP

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

**ORIGINAL APPLICATION NO. 890/2016
(ShriSubhash P. Jaikar V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri A.M. Hajare, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant has submitted that the applicant has received T.A. bill as claimed by him, therefore, he does not want to proceed with the present O.A.

3. In view of the submissions made on behalf of the applicant, the O.A. stands disposed of with no order as to costs.

MEMBER (J)

ORAL ORDER 04-09-2017 KPB (SB) BPP

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.913/2016
(ShriRameshwar S. WaghmareVs.The State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

ShriS.D. Hiwrekar, learned Advocate for the applicant and ShriM.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the learned Chief Presenting Officer for the respondents.

3. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 & 3. Time granted as a last chance.

4. S.O. to 06.10.2017.

MEMBER (J)

KpbORAL ORDERS 04.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.54/2017
(ShriBalaji V. Malchature Vs.The State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Shri S.D. Hiwrekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the learned Chief Presenting Officer for the respondents.

3. Learned Chief Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1 & 3. Time granted as a last chance.

4. S.O. to 06.10.2017.

MEMBER (J)

Kpb ORAL ORDERS 04.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.23/2017
(ShriBandu B. Chavan Vs.The State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Shri K.G. Salunke, learned Advocate for the applicant (**Absent**). Shri V.R. Bhumkar, learned Presenting Officer for the Respondents, present.

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 1. Time granted as a last chance.

4. S.O. to 06.10.2017.

MEMBER (J)

Kpb ORAL ORDERS 04.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.135/2017
(Smt. Shital D/o V. Bhosale Vs.The State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Shri S.A. Wakure, learned Advocate for the applicant (**Absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents, present.

2. Learned Presenting Officer has submitted that the affidavit in reply of respondent No. 1 is not necessary, since the respondent No. 2 has already filed affidavit in reply.

3. Hence, the pleadings are complete. The O.A. is admitted and it be kept for final hearing.

4. S.O. to 10.10.2017.

MEMBER (J)

Kpb ORAL ORDERS 04.09.2017

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.19/2017
(ShriYogesh B. Patil Vs.The State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Deepali S. Deshpand, learned Presenting Officer for the Respondents.

2. Today, the learned Advocate for the applicant has filed a copy of withdrawal pursissigned by the applicant and submitted that the applicant has filed review petition before His Excellency the Governor and His Excellency the Governor forwarded the same to the respondent No. 1 for taking decision on it and the same is pending with the respondent No. 1. She has submitted that since the review petition is pending with the respondent No. 1, the applicant does not want to proceed with the present O.A. Therefore, she prayed to grant leave to the applicant to withdraw the O.A. with liberty to approach the Tribunal after final decision in the review application.

3. The applicant does not want to proceed with the O.A., since the review application filed by him is pending with the respondent No. 1 and wants to withdraw the same with liberty to approach the Tribunal, after final decision in Review, the leave as prayed for is granted. O.A. stands disposed of as withdrawn with liberty as prayed for. There shall be no order as to costs.

MEMBER (J)

Kpb ORAL ORDERS 04.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.144/2017
(ShriSharad R. Pathak Vs.The State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Chief Presenting Officer for the Respondents.

2. Today, the learned Presenting Officer has placed on record a copy of communication dated 31.08.2017, received to him from the Deputy Director of Land Records, Nasik, informing that the pension papers of the applicant have been prepared and the proposal is ready and the same is likely to be submitted to the Accountant General, within 15 days and therefore, he seeks two weeks' time. He has further submitted that the applicant has to submit some documents with the concerned office for sending proposal for releasing pension and therefore, he seeks two weeks' time.

3. The learned Advocate for the applicant has submitted that the applicant will co-operate the respondents.

4. In view of the above, two weeks' time is granted to the respondents for sending proposal for releasing pensionary benefits in favour of the applicant. The applicant shall co-operate the respondents.

5. S.O. to 19.09.2017.

MEMBER (J)

Kpb ORAL ORDERS 04.09.2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.14/2017
(ShriRavindra H. Varade Vs.The State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant has filed application for appointment on compassionate ground on 26.12.2003. He has submitted that thereafter his proposal has been forwarded to the respondent No. 3 by the respondent No. 2. But the said proposal is sent back by the respondent No. 2 to the respondent No. 3 by raising some objections in the year 2004. He has submitted that the applicant has complied with the objections time to time and therefore, on 24.01.2005, the Sub-Divisional Engineer, Dharangaon, forwarded the proposal of the applicant to the respondent No. 3 by complying all the objections. He has submitted that the respondent No. 3 had not

forwarded the proposal of the applicant to the respondent No. 2 up to the year 2004. The respondent No. 2 by letter dated 6.6.2013, directed the respondent No. 3 to make enquiry for delay caused in sending proposal and to fix the responsibility of it on the erring employee. He has submitted that thereafter, name of the applicant has been entered in the waiting list by communication dated 15.10.2013 issued by the respondent No. 3. He has submitted that thereafter, the applicant has filed representations dated 28.10.2013, 7.7.2014 & 11.07.2014 with the respondent No. 2 and requested to enter his name in the waiting list of the year 2003. He has submitted that the representations made by the applicant are still pending with the respondent No. 2 and therefore, he prayed to issue necessary direction to the respondent No. 2 to decide his representations.

3. Learned Presenting Officer has submitted that the applicant has not complied with the objection raised by the respondent No. 2 and there was delay on the part of the applicant in

complying the objections and therefore, there was delay in sending the proposal. The proposal sent by the respondent No. 3 was allowed by the respondent No. 2 in the year 2013. He admits that the representations made by the applicant are still pending with the respondent No. 2 and the respondent No. 2 had not decided the same.

4. Considering the above said facts, it is crystal clear that the representations dated 28.10.2013, 7.7.2014 & 11.07.2014 made by the applicant for entering his name in the waiting list of the year 2003 is still pending with the respondent No. 2. Therefore, it will be just and proper to direct the respondent No. 2 to decide those representations on merit as per Rules, within one month from the date of the order. Therefore, the respondent No. 2 is directed to take decision on the representations made by the applicant on 28.10.2013, 7.7.2014 & 11.07.2014 before 5.10.2017 and communicate the decision thereof to the applicant in writing.

5. Hence, S.O. to 05.10.2017.

MEMBER (J)

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

**ORIGINAL APPLICATION NO. 784 OF 2015
(ShriMalappaVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

ShriAvinashKhedkar, learned Advocate for the applicant (**absent**). Smt. SanjivaniDeshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer has submitted that in the case of similarly situated persons, the Hon'ble Supreme Court has stayed the order of the Hon'ble High Court passed in favour of the persons. She has submitted that similar issue is involved in this case and, therefore, she prayed to adjourn the present case.

3. S.O. to 4th October, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 909 OF 2016
(ShriLaxmanVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant has filed leave note. Smt. SanjivaniDeshmukh-Ghate, learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 26th September, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 265 OF 2016
(ShriShivajiVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 26th September, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**M.A.NO. 422/2016 INI O.A.ST.NO.1713/2016
(ShriBaburaoVs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri P.A. Bharad, learned Advocate holding for Shri G.J. Kore, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 16th September, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**M.A.NO. 409/2016 IN O.A.ST.NO.1662/2016
(Shri Mohan Vs.The State of Mah.&Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for time to produce documents on record. Time granted as a last chance.

3. S.O. to 29th September, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 435 OF 2017
(Smt. Anita Vs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate holding for Shri I.D. Maniyar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 29th September, 2017 for filing affidavit in reply.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 433 OF 2017
(ShriBaswantsingVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard ShriKakasaheb B. Jadhav, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. Learned Presenting Officer prays for time for filing affidavit in reply on behalf of respondent Nos. 1, 2 & 4. Time granted as a last chance.

4. S.O. to 28th September, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 426 OF 2017
(ShriSudhakarVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard ShriChetan T. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. S.O. to 10th October, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 400 OF 2017
(Smt. Vrushali Vs. The State of Mah. & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri S.B. Mene, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant, Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri Yogesh V. Dhoble – learned Advocate for respondent No. 4. Shri N.P. Dube – learned Advocate for respondent No. 5 (**absent**).

2. At the request of learned Presenting Officer and learned Advocate for respondent No. 4, S.O. to 28th September, 2017 for filing affidavit in reply, as a last chance.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 409 OF 2017
(ShriBhujangVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Ms. P.R. Wankhade, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has submitted that she has received a copy of communication dated 31.8.2017 from Assistant Director, University Skill Development Employment & Entrepreneurship, Information & Guidance Centre, Aurangabad along with covering letter dated 31.8.2017, by which the impugned transfer order of the applicant has been modified and his earlier posting has been cancelled and he has been retained at Aurangabad. The copy of the said communication is taken on record and marked as document 'X' for the purposes of identification.

3. Learned Advocate for the applicant has submitted that she has not received any

instructions from the applicant. Therefore, she prays for one week's time to make submissions on the aforesaid communication filed by the learned Presenting Officer regarding modified order of the applicant.

4. S.O. to 11th September, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 398 OF 2017
(ShriDevendraVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

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. At the request of learned Chief Presenting Officer, S.O. to 9th October, 2017 as a last chance for filing affidavit in reply. Interim relief granted earlier to continue till then.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 319 OF 2017
(ShriParsharamVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri P.D. Bachate, learned Advocate holding for Shri K.G. Slunke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer for the respondents prays for time to file affidavit in reply. Time granted as a last chance.

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

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 266 OF 2017
(ShriSandipanVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

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

2. Learned Presenting Officer for the respondents prays for time for filing affidavit in reply. Time granted.

4. S.O. to 25th September, 2017.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 390 OF 2017
(Shri Vijay Vs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Heard both sides at considerable time.

3. The original record regarding the transfer order of the applicant in this O.A. is necessary and material for deciding the O.A. Therefore, the respondents are directed to produce the original record of transfer within a period of two weeks. Parties are at liberty to make short submission on production of the original record, on the next date.

3. S.O. to 14th September, 2017.

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

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 391 OF 2017
(ShriSambhajiVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 04.09.2017.

ORAL ORDER :

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

2. Heard both sides at considerable time.

3. The original record regarding the transfer order of the applicant in this O.A. is necessary and material for deciding the O.A. Therefore, the respondents are directed to produce the original record of transfer within a period of two weeks. Parties are at liberty to make short submission on production of the original record, on the next date.

3. S.O. to 14th September, 2017.

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

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO. 305 OF 2014
(ShriRohanVs.The State of Mah. &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

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

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri P.A. Bharad learned Advocate holding for Shri U.L. Momale, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for time. Time granted.

3. S.O. to 12th September, 2017 for satisfying all the queries from both sides.

MEMBER (J)

ORAL ORDERS 04.09.2017-HDD

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

**ORIGINAL APPLICATION NO.897/2016
(Ku. Shalini D/o. Ramdas Raut V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri S.P.Salgare learned Advocate for the applicant and Shri I.S.Thorat learned Presenting Officer for respondents.

2. Appointments, if any, made during the pendency of O.A., shall be subject to outcome of this O.A.

3. Admit.

4. Issue notice to added respondent no.3, 4 and 5, returnable on 04-10-2017.

5. Applicant is authorized and directed to serve on respondents this admission notice duly authenticated by Registry, along with complete paper book of the case.

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

7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date.

Applicant is directed to file affidavit of compliance and notice.

8. Respondents shall file reply countering each para and averment in the O.A.

9. S.O.to 04-10-2017 for final hearing.

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

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**M.A.No.325/2017 IN O.A.St.No.941/2017
(Shri Bhika Choudhary V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

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

2. Issue notice to the respondents in the M.A. as well as the O.A., returnable on 06-11-2017.

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 06-11-2017.

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

CHAIRMAN

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

**O.A. St. No.952/2015
(Shri Dileep Gadchelwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Shri A.M.Gaikwad learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for respondents is present.

2. Issue notice to the respondents, returnable on 23-10-2017.

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 23-10-2017.

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

CHAIRMAN

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

**M.A.No.345/2015 in O.A.St.No.952/2015
(Shri Dileep Gadchelwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Shri A.M.Gaikwad learned Advocate for the applicant is **absent**. Smt. Deepali Deshpande learned Presenting Officer for respondents is present.

2. Perused M.A. Accepting the reasons leading to delay to be good and sufficient, delay caused in filing the O.A. is condoned.
3. M.A. stands disposed of accordingly with no order as to costs.
4. O.A. be registered and numbered after removal of office objections, if any.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**M.A.No.212/2016 IN O.A.St.No.664/2016
(Shri Nandkishor Khicchi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri Nandkishor Khichhi applicant –
party in person and Shri S.K.Shirse learned
Presenting Officer for respondents.

2. On previous date, Shri Nandkishor Khichhi,
who is party in person, had filed written notes of
arguments with certain documents/citations. He
has filed copy of the same for service on the
learned P.O.

3. At the request and consent of both parties,
S.O. to 07-12-2017 for final hearing.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**ORIGINAL APPLICATION NO.200/2017
(Shri Nitin Sonawane & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

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

2. At the request of learned P.O.,
S.O. to 04-10-2017 for filing affidavit in reply on
behalf of the respondents.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**Original Application No.278/2017
(Shri M. S. Vaidyakiya Mahavidyalaya & Rugnalaya Karmachari Sanghatana,
Aurangabad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Shri M.A.Golegaonkar learned Advocate for
the applicant is **absent**. Shri M.S.Mahajan
learned Chief Presenting Officer for respondents
is present.

2. Since none is present for the applicant,
S.O. to 04-10-2017.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**ORIGINAL APPLICATION NO.339/2017
(Shri Ravsaheb Kakad & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of respondent no.3. It is taken on record. Copy thereof has been served on the learned Advocate for the applicant.

3. S.O.15-09-2017, for filing rejoinder, if any.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**ORIGINAL APPLICATION NO.352/2017
(Shri Girish Baviskar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri Shamsundar B. Patil learned Advocate holding for Shri A.S.Bayas learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for respondents.

2. At the request of learned Advocate for the applicant, S.O.04-12-2017.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**ORIGINAL APPLICATION NO.432/2017
(Shri Kishan Ghodekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Shri S.D.Joshi learned Advocate for the
applicant has filed **leave note** on record.
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.03-10-2017.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**ORIGINAL APPLICATION NO.439/2017
(Shri Sk. Abdul Majid Abdul Razak V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

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

2. At the request of learned Advocate for the
applicant, S.O. to 16-09-2017.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

**FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO.244/2017
(Shri Amol Ramnath Salve V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant prays for leave to amend and to add Secretary, School Education and Sports Department as respondent no.1-A.

3. Leave as prayed for is granted.

4. It has transpired that applicant is denied the appointment for an omission or failure which is not attributable to him, relying on Rule 4(v) which is impugned, and Rule 4(v) of G.R. dated 01-07-2016 issued by respondent no.1-A reads thus:

“(v) खेळाडू उमेदवारांनी अर्ज करण्यापूर्वीच सुधारीत तरतुदीनुसार विभागीय उपसंचालक यांचेकडून खेळाच्या प्रमाणपत्राची पडताळणी करून घेणे आवश्यक आहे. त्यामूळे खेळाडू उमेदवाराने अर्जासोबत विभागीय उपसंचालक यांनी क्रीडा प्रमाणपत्र योग्य असल्याबाबत व खेळाडू कोणत्या संवर्गासाठी पात्र ठरतो याबाबत प्रमाणित केलेले प्रमाणपत्र जोडणे आवश्यक राहिल.

Quoted from paper book page 48”

5. Applicant's submission is prima facie rather ex-facie eloquent and exhibits either non application of mind or arbitrariness. Therefore, the respondent no.1 and respondent no.1-A are called to file their own affidavit i.e. not of any subordinate officer, to state as to whether condition contained in Rule 4(v) of G.R. dated 01-07-2016 issued by respondent no.1-A stands to reason, on the ground that it tends to deprive a candidate who is duly selected from an appointment for an act of omission or lapse which is accountable to the Government and not attributable to the candidate.

6. Affidavits need not be filed if paragraph 4(v) supra is rescinded or is suitably modified for neutralizing the hazardous and arbitrary dictate contained therein.

7. Affidavits be filed on or before 16-09-2017.

8. Learned P.O. is directed to communicate this order.

9. Steno copy and hamdust is allowed to both sides.

CHAIRMAN

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

**M.A.No.358/2017 in C.P.St.No.1261/2017 IN O.A.No.801/2015
(Smt. Yasmin Hashmi w/o. Vasim Hashmi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

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

2. Learned P.O. prays for 3 days' time for reporting compliance. Time granted.

3. S.O. to 07-09-2017.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**M.A.No.23/2017 IN O.A.No.43/2015
(Shri Ramchandra Ganeshlal Pardeshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri T.G.Gaikwad learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned P.O. states that the order is complied with, and the learned Advocate for the applicant concedes, and states that now the M.A. can and may be disposed of.

3. Accordingly, M.A. stands disposed of with no order as to costs.

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F

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

**ORIGINAL APPLICATION NO.43/2015
(Shri Ramchandra Ganeshlal Pardeshi V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : JUSTICE A.H.JOSHI, CHAIRMAN

DATE : 04.09.2017.

ORAL ORDER :

Heard Shri T.G.Gaikwad learned Advocate
for the applicant and Shri N.U.Yadav learned
Presenting Officer for respondents.

2. At the request of learned P.O.
S.O. to 03-10-2017

CHAIRMAN

YUK ORAL ORDER 04-09-2017 AHJ F