

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

O.A. NO. 250/2014

**(The KaryakariAdhikariSanghatana, RTO, through its Joint
Secretary Vs. The State of Mah.& 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 : 7.9.2017.

ORAL ORDER :

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

2. The learned Adv. for the applicant seeks time for filing documents, if any. At his request, S.O. to 4.10.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 614/2017
(Jeeven Vs.The State of Mah.& 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 : 7.9.2017.

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. At the request of learned C.P.O. for the respondents, S.O. to 21.9.2017 for compliance of the earlier order dtd. 4.9.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

O.A. NO. 514/2015

(Dr. Balaji S. Barure Vs.The State of Mah.& 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 : 7.9.2017.

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the Respondents, is present.

2. The learned P.O. submits that, his Office has communicated the order dtd. 8.6.2017 and the next orders passed by the Tribunal to the concerned respondents, however, there is no response from the said respondents. It is very disheartening to note that, no heed is being paid by the concerned respondents to the orders passed by the Tribunal.

3. In the circumstances, the res. no. 1 is directed to file short affidavit on the following lines :-

- (i) As to when the copy of the order of the Tribunal dtd. 8.6.2017 sent by the Office of the learned Chief Presenting Officer was received by his / her Office.
- (ii) As to when the said order was brought to his / her notice.
- (iii) What action in the meantime he / she has taken.

4. The said short affidavit be filed by the res. no. 1 along with compliance report on or before 3.10.2017. Upon failure, coercive action like securing the presence of res. no. 1 before the Tribunal and / or imposing heavy costs may be considered.

5. S.O. top 3.10.2017.

6. The learned P.O. to act upon the Steno copy of this order.

VICE CHAIRMAN.

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

**O.A. ST. NO. 814/2015
(Prabhakar Vs.The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.C. Ghode, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. The learned Adv. for the applicants submits that the delay condonation application would be filed during the course of the day. In the circumstances, S.O. to 26.9.2017.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 382/2015
(Dr. Vivek Vs. The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the Respondent nos. 1 & 2 and Shri N.U. Yadav, learned Advocate for respondent no. 3.

2. The learned Adv. for the applicant, on instructions, submits that the grievance of the applicant is already redressed by the respondents and, therefore, the applicant wants to withdraw the present O.A. He has filed on record the pursis signed by the applicant to that effect.

3. In the circumstances, the present O.A. is disposed of as withdrawn without any order as to costs.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 709/2015
(Bhagwantraya Vs.The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondent nos. 1 to 3. Shri S.D. Dhongde, learned Advocate for respondent no. 4 has filed leave note.

2. Affidavit in reply of res. no. 1 is already filed on record. At the request of learned P.O., S.O. to 10.10.2017, for filing affidavit in reply of rest of the respondents.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 710/2015
(Dattatraya Vs.The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. Affidavit in reply of res. nos. 1, 2 & 5 are already filed on record. At the request of learned P.O., S.O. to 10.10.2017 for filing reply on behalf of rest of the respondents.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 711/2015
(Uttam Vs.The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. Affidavit in reply of res. no. 1 is already filed on record. At the request of learned P.O., S.O. to 10.10.2017 for filing reply on behalf of rest of the respondents.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 364/2016
(Rudrappa&Ors. Vs. The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the Respondent no. 1 and Shri G.N. Patil, learned Advocate for respondent nos. 2 to 6.

2. Affidavits in reply of all the respondents are already filed on record. S.O. to 10.10.2017 with similar matters.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 768/2016
(Seetaram&Ors. Vs. The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the Respondent no. 1, 3 & 4. Shri S.D. Dhongde, learned Advocate for respondent nos. 2 & 5 has filed leave note.

2. Affidavit in reply of res. nos. 2 & 5 is already filed on record. At the request of learned P.O., S.O. to 10.10.2017 for filing reply on behalf of other respondents.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 895/2016
(Manik Vs.The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri N.U. Yadav, learned P.O. for the respondent nos. 1 to 3.

2. At the request of learned P.O., S.O. to 10.10.2017 for reply of res. nos. 1 to 3.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 904/2016
(Digambar&Ors. Vs. The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the Respondent no. 1 to 3. Shri S.D. Dhongde, learned Advocate for respondent no. 4 has filed leave note.

2. The learned P.O. has filed reply of res. no. 1. It is taken on record and copy thereof has been served upon the learned Adv. for the applicant. At the request of learned P.O., S.O. to 10.10.2017 for filing reply of rest of the respondents.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 908/2016
(Tulisharam&Ors. Vs. The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants, Shri N.U. Yadav, learned Presenting Officer for the Respondent nos. 1 & 4 and Shri D.T. Devane, learned Advocate for respondent no. 3.

2. Shri Devane, learned Adv. has filed V.P. for res. no. 2. It is taken on record.

3. At the request of learned P.O. for res. no. 1 and 4 & learned Adv. for res. nos. 2 & 3, S.O. to 10.10.2017 for filing affidavits in reply of respective respondents.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

**O.A. NO. 155/2017
(Govind&Ors. Vs. The State of Mah.& Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2017.

ORAL ORDER :

Heard Shri M.S. Dhapate, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants, Shri N.U. Yadav, learned Presenting Officer for the Respondent no. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 3 & 4.

2. The learned P.O. has filed affidavit in reply of res. no. 1. Shri Patil, learned Adv. for res. no. 4 has also filed affidavit in reply. The said replies are taken on record and copies thereof have been served upon the learned Adv. for the applicant.

3. The learned Adv. for the res. nos. 3 seeks time to file affidavit in reply of res. no. 3. At his request, S.O. to 10.10.2017 for filing affidavit in reply of res. no. 3.

VICE CHAIRMAN.

ARJ ORAL ORDERS 7.9.2017

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

O. A. NO.627/2017.

(Shri K. R. ShriramwarVs.The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri M. R. Wagh learned Advocate holding for Shri R. B. NarwadePatil, learned Advocate for the applicant and Shri M. S. Mahajan, learnedChiefPresenting Officer for the Respondents.

2. Upon hearing the learned Advocate for the applicant it prima facie appears that, there is no merit in the present petition. However, since the applicant insists for admission of the present application though the notices are not being issued right now, remove from the board. The O.A. be placed before the Division Bench for admission as and when it would be available.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. St. No.402/2017.
(Shri G. B. Mahajan Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

None present for the applicant. Heard Shri S. K. Shirse, learned Presenting Officer for the Respondents.

2. The earlier orders would show that, since 29.03.2017 nobody is appearing for the applicant. Therefore, for last four dates the matter was adjourned for taking steps. In the circumstances, the application is dismissed in default.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO.576/2015.
(Shri C. M. Mahajan Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

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

2. Today learned Advocate Shri S. P. Dhobale filed his Vakalatnama on behalf of the applicant. The same is accepted. He submits that, he will have to go through the matter and find out about the pendency of the same issue before Hon'ble the Supreme Court of India, which has been referred in the order dated 04.07.2017. At his request, S.O. to 03.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

FARAD CONTINUATION SHEET

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

O. A. NO.80/2016.

(Shri DevidasLaxmanGhugeVs.The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant on instructions submits that, applicant wishes to withdraw the present O.A. with liberty to file fresh application in case exigency arises regarding the deemed date of promotion etc. The application is accordingly disposed of as withdrawn, without any order as to costs, with liberty as prayed for.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

FARAD CONTINUATION SHEET

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

O. A. NO.560/2016.

(Shri A. B. Kamble Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

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

2. According to my prima facie view the present petition is not tenable. The learned Advocate for the applicant however, has no instructions for withdrawing if any of the application. In the circumstances, remove from the Board. Be placed for admission before the Division Bench as and when it would be available.

3. It is hereby amply clarified that, there is no stay to the impugned communication.

4. The learned Advocate for the applicant files on record the affidavit in rejoinder. The same is accepted. Copy served on other side.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO.925/2016.
(Shri K. R. Tharewal Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri N. S. Tekale, learned Advocate for the applicant, Shri S. K. Shirse, learned Presenting Officer for the Respondents nos. 1 to 4 and Shri P. A. Bhosale learned Advocate for the Respondent no.5.

2. The learned P.O. submits that, liberty to file additional affidavit may be granted. Allowed to file the same.

3. Upon hearing both the sides, it appears that, the arguable case is made out. The O.A. is therefore, admitted.

4. Learned P.O. waives the notice for the respondents upon admission hearing.

5. Remove from Board. Be placed for final hearing as and when the Division Bench would be available.

6. The learned P.O. submits that, liberty to file additional affidavit may be granted. Allowed to file the same.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO.77/2017.
(Shri R. B. Yawalkar Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri Rajesh B. Yawalkar, the Applicant, party in person and Shri M. P. Gude, learned Presenting Officer for the Respondents.

2. The applicant, party in person seeks time for satisfying with the order dated 21.06.2017. At his request, S.O. to 21.09.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

O. A. NO. 165/2017.

(Dr. S. P. Bhamre Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

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

2. The learned Advocate for the applicant submits that, the applicant seeks liberty to add the necessary party. Liberty is hereby granted. He submits that, necessary addition would be carried out forthwith. Upon adding of the Respondent no.3 issue notice to him, returnable on 4.10.2017.

3. 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.

4. 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.

5. 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.

6. S.O.to 04.10.2017.

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

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

O. A. Nos.535& 543 of 2017.

(Dr. S. R. Jadhav&Oths. Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri Sham Patil, learned Advocate for the applicants and S/Shri M. P. Gude& V. R. Bhumkar learned Presenting Officers for the Respondents in respective matters.

2. The learned Advocate for the applicant files on record true copy of the order claimed to have been passed by the Respondent no.1. He submits that, the case of Dr. Sanjay Kumar involved in the said order is exactly similar to the case of the present applicant. The copy of the said order is served on the learned P.O. The respondents are therefore, directed to go through the copy of the present order and find out as to whether any corrective measures can be taken in view of the said order. If the corrective measures

are taken the report of the same shall be filed on the next date.

3. If the respondents comes to the conclusion that, the treatment similar to Dr. Sanjay Kumar cannot be given to the present applicant. A short affidavit giving the reasons thereof be filed on record on the next date.

5. S. O. to 05.10.2017 for compliance.

6. Steno copy as well as authenticated copy be supplied to both sides.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

O. A. NO.255/2017.

(Shri P. B. Deshmukh&Ors. Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Miss. PreetiWankhade, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. The learned P.O. files on record the affidavit in reply on behalf of Respondent no.2. The same is accepted. Copy served on the other side.

3. The learned P.O. seeks time to take instructions on the line of order dated 24.03.2017. At her request, S.O. to 03.10.2017 for getting instructions on the line of order dated 24.3.2017. Be placed with O. A. No.50/2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

O. A. NO.380/2017.

(Dr.P. V. Kulkarni&Ors. Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

None present for the applicant. Heard Shri S. K. Shirse, learned Presenting Officer for the Respondents.

2. The learned P.O. request time to file affidavit in reply of both the Respondents. At his request, S.O. to 09.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO.440/2017.
(Shri V. R. Gaikwad Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri A. D. Sonar learned Advocate holding for Shri V. B. Patil, learned Advocate for the applicant and Smt D. S. Deshpande, learned Presenting Officer for the Respondents.

2. The learned P. O. seeks time to file affidavit in reply. At his request, S.O. to 05.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO. 329/2017.
(Shri Karwar D. B. Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri U. S. Mote, learned Advocate for the applicant and Smt P. R. Bharaswadkar, learned Presenting Officer for the Respondents.

2. The learned P.O. files on record affidavit in reply for Respondent no.2. The same is accepted. Copy served on the other side. She further submits that, she will have to take instructions from Respondent no.1 to find out as to whether the reply of Respondent no.1 is necessary or not.

3. S.O. to 6.10.2017 for filing reply of Respondent no.1.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO.224/2017.
(Shri D. K. Taru Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri Ganesh Jadhav learned Advocate holding for Shri A. S. Shelke, learned Advocate for the applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents no.1 & 2. None present for the Respondent no.3.

2. Learned C.P.O. seeks time to file reply. At his request, S.O. to 18.9.2017 for filing reply.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO.272/2017.
(Dr. V. P. DeshpandeVs.The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

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

2. At the request of the learned P.O., S.O. to 05.10.2017 for filing reply, as a last chance.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**M A. No.358/2017 in CP St.No.1261/17 in O. A. NO.801/2015.
(SmtYasminHashmiVs.The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri V. G. Pingle, learned Advocate for the applicant and Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 03.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO.153/2017.
(Dr. R. B. Hemke Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

None present for the applicant. Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents no.1 to 3. None present for the Respondents no.4 & 5.

2. The learned C.P.O. seeks time to file reply for Respondents. Time granted as a last chance.

3. S.O. to 05.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. NO.763/2013.
(Shri M. P. Idekar Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri A. D. Gadekar, learned Advocate for the applicant and Shri I. S. Thorat, learned Presenting Officer for the Respondents.

2. The learned Advocate for the applicant submits that, the inquiry against the applicant is at the final stage. In the circumstances, at his request, S.O. to 4.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**M. A. NO.426/16 IN O. A. St.No.1824/2016.
(Shri K. B. Joshi Vs.The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

It is reported that, Shri S. D. Dhongde, learned Advocate for the applicant has filed leave note. Shri M. P. Gude, learned Presenting Officer for the Respondents is present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 28.09.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**MA NO.421/2016 IN C. P. NO.6/98 IN O. A. NO.1/1998.
(Shri S. S. Tupe Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri P. V. Suryawanshi, learned Advocate for the applicant and Smt S. K. GhateDeshmukh, learned Presenting Officer for the Respondents no.1 & 2 and Shri S. B. Patil learned Advocate for the Respondents no.3 to 5.

2. The learned Advocate for the applicant submits that, the matter is still pending with Hon'ble the Supreme Court of India. Therefore, at his request, S.O. to 08.09.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**O. A. Nos.603, 604, 605, 606, 607, 608 & 609 of 2017.
(Shri J. A. Limbale&OthersVs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

Heard Shri A. S. Deshmukh, learned Advocate for the applicants in all the matters and Smt P. R. Bharaswadkar, learned Presenting Officer and ShriM. S. Mahajan, learned Chief Presenting Officer for the respective Respondents in respective matters.

2. The learned Advocate for the applicants submits that, the service affidavit is being filed today.

3. Smt. P. R. Bharaswadkar, the learned P.O. also submits that, she has instructions to appear and she seeks time to file reply of the respondents. In the circumstances, at her request, S.O. to 6.10.2017.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

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

**MA NO. 133/2017 IN OA NO.949/2016.
(Shri D. D. Kachare Vs. The State of Mah.&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 : 07.09.2017.

ORAL ORDER :

None present for the applicant. Heard Shri V. R. Bhumkar, learned Presenting Officer for the Respondents.

2. The learned P.O. points towards the earlier order dated 29.8.2017 and also the copy of the order filed on record, which would show that, the appointment order is issued. He further makes a statement that, the applicant has joined the services. In the circumstances, as nothing survives in the present M.A. the same is disposed of. The O.A. also stands disposed. No order as to costs.

VICE CHAIRMAN.

ATP ORAL ORDERS 07.09.2017.

FARAD CONTINUATION SHEET

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

**O. A. Nos. 682, 683 & 652 all of 2009.
(Dr. V. G. Khelge & 2 Ors. Vs. The State of Mah. & 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 : 07.09.2017.

ORAL ORDER :

Heard Shri S. B. Mene learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicants in all the matters and Shri V. R. Bhumkar & Smt. S. K. Ghate Deshmukh, learned Presenting Officers for the respective Respondents in respective matters.

2. The learned Advocate for the applicants submits that, the same issue is pending before Hon'ble the Supreme Court of India. In the circumstances, remove from the board. All the matters be placed before the Division Bench as and when it would be available.

VICE CHAIRMAN.

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

**ORIGINAL APPLICATION NO.628/2017
(Shri Mohit Mali V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri C.V.Bhadane learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

2. Issue notice to the respondents, returnable on 11-10-2017.

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 11-10-2017.

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

MEMBER (J)

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

**ORIGINAL APPLICATION ST. NO.1002/2017
(Dr. SomnathTekade V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that he requires 2 weeks' time to file application for condonation of delay caused for filing the O.A. Time granted.

3. S.O. to 29-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION ST. NO.1268/2017
(Dr. SomnathTekade V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri S.D.Joshi learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. Learned Advocate for the applicant submits that he requires a week's time to file application for condonation of delay caused for filing the O.A. Time granted.

3. S.O. to 15-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

ORIGINAL APPLICATION NO.544/2016

(Dr. SeemaKulkarni&Ors.V/s. State of Maharashtra &Ors.)

ORIGINAL APPLICATION NO.545/2016

(Dr. SatishRunwal&Ors.V/s. State of Maharashtra &Ors.)

ORIGINAL APPLICATION NO.817/2016

(Dr. Sanjay Joshi V/s. State of Maharashtra &Ors.)

ORIGINAL APPLICATION NO.820/2016

(Shri SurendraTodewale V/s. State of Maharashtra &Ors.)

ORIGINAL APPLICATION NO.821/2016

(Smt. BasantiMundhe V/s. State of Maharashtra &Ors.)

AND

ORIGINAL APPLICATION NO.822/2016

(Dr. SubhashJadhav V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicants in all the O.As., S/Shri I.S.Thorat, N.U.Yadav, V.R.Bhumkar, S.K.Shirse and Smt. DeepaliDeshpande learned Presenting Officers for the respondents in respective O.As., Shri P.K.Wagh learned Advocate holding for Shri A.D.Aghav learned Advocate for respondent nos.4 and 5 in O.A.Nos.817/16, 821/16 and 822/16 and Shri S.R.Dheple learned Advocate for respondent nos.4 and 5.

Shri K.U.More learned Advocate for respondent nos.5 and 6 in O.A.No.544/16 is **absent**. None appears for respondent nos.5 and 6 in O.A.No.545/16.

2. Learned Advocate for the applicants has submitted that similarly situated persons had filed cases before the Tribunal claiming same relief and the Division Bench as well as the Single Bench of the Tribunal have time and again held that pay scale granted to the applicants in the pay of Rs.8000-13500 under 5th Pay Commission was proper and pay scale granted in view of recommendations of 6th Pay Commission i.e. Rs.9300-34800 and Grade Pay-5400 was made applicable to the Medical Officers who have been absorbed in Group "B" post under Public Health Department. He has submitted that since the Tribunal has decided the issue in the matter, on the basis of said decision, necessary orders may be passed in this matter.

3. Learned P.Os. as well as the learned Advocates for the respondents have submitted that the applicants have not made any representations on the basis of decisions rendered by the Tribunal to reconsider their cases. They have submitted that if the applicants make such application/representation they will consider the same on merit in view of the decisions of the Tribunal in 3 weeks from the date of receipt of their representations.

4. Learned Advocate for the applicants submits that applicants are ready to file representation/s, if not already filed, within one

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O.A.No.544/16 &Ors.

week from the date of this order and he has no objection if directions are given to the respondents to decide the representations of the applicants within 3 weeks from the date of its receipt.

5. In view of the submissions of learned Advocate for the applicants and the respondents, the applicants are directed to make fresh representation to the respondents, if not made earlier, on the basis of earlier decision/s delivered by this Tribunal. On receipt of representations from the applicants, respondents to take proper decision within 3 weeks.

6. S.O. to 11-10-2017 for reporting compliance and taking decision in the matter.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.652/2016
(Shri BhimrajThorat V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri HemantDhange 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 12-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.151/2017
(Shri NagoraoFaliwad V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri SantoshBhosale learned Advocate holding for Shri S.P.Brahme learned Advocate for the applicant and Smt. PriyaBharaswadkar learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a last chance.

3. S.O. to 09-10-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.243/2017
(Shri PralhadPatil V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Shri D.B.Thoke learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for respondents is present.

2. Learned P.O. files affidavit in reply on behalf of respondent no.3. It is taken on record. He undertakes to serve copy of the same on the other side.

3. Learned P.O. submits that there is no need to file reply of other respondents.

3. S.O. to 09-10-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.250/2017
(Sd. KhajaMubeenuddin V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri S.C.Bhosale learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file reply on behalf of the respondents. Time granted as a last chance.

3. S.O. to 09-10-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.430/2017
(Shri ChousGaleb Ahmed Amodi V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned P.O. submits that there is no need to file reply on behalf of respondent nos.1 and 2.

3. Learned P.O. seeks time to file reply on behalf of respondent nos.3, 5 and 6. Time granted as a last chance.

4. S.O. to 12-10-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.463/2017
(Shri RaosahebAwhad V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of the respondent no.2. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 27-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.464/2017
(Shri RajendraKirtikar V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of the respondent no.2. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 27-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.465/2017
(Shri Ashok Barde V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of the respondent no.2. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 27-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.522/2017
(Shri RamakantNagargoje V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri G.J.Pahilwan learned Advocate
for the applicant and Smt. PriyaBharaswadkar
learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in
reply on behalf of the respondents. Time granted
as a last chance.

3. S.O. to 21-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**O.A.No.539/2017 WITH CAVEAT NO.27/2017 & 39/2017
(Dr. SaritaPatil V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for respondents and Shri N.P.Dube learned Advocate for respondent no.4.

2. Learned CPO states that he will file affidavit in reply during the course of the day. He also undertakes to serve copy on the other side.

4. S.O. to 12-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**ORIGINAL APPLICATION NO.540/2017
(Dr. SakahariSonawane V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned CPO states that he will file affidavit in reply during the course of the day. He also undertakes to serve copy on the other side.

4. S.O. to 12-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**O.A.No.541/2017 WITH Caveat No.29/2017
(Dr. ManikSangle V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned PO states that she will file affidavit in reply during the course of the day. She also undertakes to serve copy on the other side.

4. S.O. to 12-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**O.A.No.542/17 WITH Caveat No.26/17, 28/17 & 43/17
(Dr. Sunil Bhamre V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Heard Shri V.B.Wagh learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for respondents and Shri Shamsundar B. Patil learned Advocate for respondent no.4.

2. Learned PO states that he will file affidavit in reply during the course of the day. He also undertakes to serve copy on the other side.

4. S.O. to 12-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**O.A.NO.559/2017 WITH Caveat No.38/2017
(Dr. RajkumarJarhad V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned PO states that she will file affidavit in reply during the course of the day. She also undertakes to serve copy on the other side.

4. S.O. to 12-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

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

**O.A.No.564/2017 WITH Caveat No.48/2017
(Dr. YashwantChavan V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Learned CPO states that he will file affidavit in reply during the course of the day. He also undertakes to serve copy on the other side.

4. S.O. to 12-09-2017.

MEMBER (J)

YUK ORAL ORDER 07-09-2017 F

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 561/2017
(Smt. Swati V. Suryawanshi V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Shri H.V. Patil, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for respondent Nos. 1 and 2 and Shri V.B. Wagh, learned Advocate holding for Shri V.H. Dighe, learned Advocate for respondent No. 3.

2. Learned Advocate for respondent No. 3 and learned Presenting Officer for respondent Nos. 1 & 2 seek time to file affidavit in reply. Time granted.

3. S.O. to 25.09.2017.

MEMBER (J)

KPB ORAL ORDER 07-09-2017

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

M.A. No. 60/2017 in O.A. St. No. 184/2017
(Shri Sheshrao S. Bhalerao V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Shri P.G. Rodge, learned Advocate for the applicant (**Absent**). Shri S.K. Shirse, learned Presenting Officer for respondents, present.

2. As none present for the applicant, S.O. to 03.10.2017 for passing necessary order.

MEMBER (J)

KPB ORAL ORDER 07-09-2017

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 278/2016
(Shri Mohan K. Devbone V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

Shri R.S. Shejul, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

2. Learned Advocate for the applicant seeks time to argue the matter. Time granted as a last chance.

3. S.O. to 03.10.2017.

MEMBER (J)

KPB ORAL ORDER 07-09-2017

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

**ORIGINAL APPLICATION NO. 81/2016
(Smt. SakhubaiSitaramKukade V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. On perusal of the record it reveals that on 17.07.2017, this Tribunal directed the respondents to take decision on the proposal of the applicant regarding second time bound promotion within a period of one month. But the respondents failed to comply with the said order and therefore, on 22.8.2017, the respondent no. 2 was directed to file his personal affidavit clarifying, as to why he has not taken decision on the proposal sent by the respondent No. 4 regarding grant of second time bound promotion to the applicant as directed. It was also directed to the respondent No. 2 to produce the copy of the order if decision was taken on the said proposal.

3. Today, the respondent No. 2 neither filed copy of the order, nor filed his personal affidavit in view of the directions given by this Tribunal on 22.8.2017. The respondent No. 2 has flouted the orders of this Tribunal.

4. Learned Presenting Officer is directed to furnish the name of respondent No. 2.

5. Learned Presenting Officer has furnished the name of respondent No. 2 as follows:-

“Shri SatishPawar, Director, Public Health Services, Mumbai”

6. Therefore, issue show cause notice to the respondent No. 2 i.e. Shri SatishPawar, Director, Public Health Services Mumbai, as to why action should not be initiated against him for flouting the orders of this Tribunal and for not following the directions of the Tribunal.

7. S.O. to 21.09.2017.

MEMBER (J)

FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD
ORIGINAL APPLICATION NO. 789/2016
(Shri Rahul R. Jadhav V/s. State of Maharashtra &Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. The applicant has challenged the appointment of respondent No. 2 on the post of Police Patil of village RanjangaonShenPunji, Tq. Gangapur, Dist. Aurangabad on the ground that he has not produced necessary documents for verification after passing written examination and before oral interview. It is his contention that he raised objection before the respondent No. 1 in that regard, but his objection had not been considered and thereafter, the respondent No. 1 allowed the respondent No. 2 to participate in the oral interview. After oral interview, the respondent No. 2 was declared as selected candidate.

3. The respondent No. 1 has filed affidavit in reply and admitted the fact that the applicant filed written objection dated 23.04.2016 raising objection for the candidature of respondent no. 2. He has also admitted that one more objection dated 25.4.2016 had been filed by another person raising objection regarding candidature of respondent No. 2.

2. The respondent No. 1 has admitted the fact that the said objections are still pending and the same are not decided. The conditions mentioned in the advertisement provide that the original documents relied by the candidate has to be verified before calling him for oral interview. It seems that the respondent No. 2 had not produced the original documents before the recruitment authority i.e. respondent No. 1 for verification. The objections raised by the applicant and others are still pending with the respondent No. 1 and without deciding the said objections, the respondent No. 1 has completed the entire recruitment process in violation of the provisions of recruitment rules. The reply given by the respondent No. 1 is vague and incomplete and it is silent as regards whether the respondent No. 2 has produced original documents for verification before respondent No. 1 till today.

4. Therefore, the respondent No. 1 i.e. the Sub Divisional Magistrate, Vaijapur, Dist. Aurangabad is directed to remain present personally and explain the facts and the procedure adopted by him for selection of the respondent No. 2.

5. S.O. to 20.09.2017.

6. Steno copy allowed to the learned P.O. at his request.

MEMBER (J)

KPB ORAL ORDER 07-09-2017

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

**ORIGINAL APPLICATION NO. 946/2016
(Shri Krushna S. Edke V/s. State of Maharashtra &Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2017.

ORAL ORDER :

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

2. Today, the learned Presenting Officer has filed affidavit in reply on behalf of respondent no. 2 and additional affidavit in reply on behalf of respondent No. 3 as directed by this Tribunal on 6.9.2017. Same are taken on record and the copies thereof have been served on the learned Advocate for the applicant.

3. Learned Presenting Officer has submitted that one Shri PralhadKachare, Deputy Commissioner (Rev.) working in the office of Divisional Commissioner, Aurangabad, has filed affidavit in reply in view of the directions given by this Tribunal on 6.9.2017 stating that there was illegality on the part of the respondent No. 2 while giving approval to the impugned orders

issued by the respondent No. 3. He has submitted on oath that, as the impugned order is not in accordance with the provisions of the Transfer Act, 2005, the respondent No. 3 i.e. the Collector, Jalna has cancelled the impugned orders dated 5.12.2016 and 6.12.2016 transferring the applicant. He has further submitted on oath that he has not flouting the orders of this Tribunal intentionally and tendered unconditional apology.

4. The respondent No. 3 has filed affidavit in reply, which was sworn in by one Shri ShivajiRanojiJondhale, District Collector, Jalna, stating that he has cancelled the orders dated 5.12.2016 and 6.12.2016 and issued modified order on 6.9.2017 restoring the applicant on his earlier post. The learned Presenting Officer has also placed on record a copy of order dated 6.9.2017 issued by the respondent No. 3 i.e. the Collector, Jalna, cancelling the impugned orders dated 5.12.2016 and 6.12.2016 and restoring the applicant on the place of his earlier posting.

5. Learned Presenting Officer has submitted that in view of the order passed by the Collector, Jalna, the applicant does not want to proceed with the present Original Application, as the purpose of the filing of the O.A. has been served and therefore, he prayed to dispose of the present Original Application.

6. I heard Shri PralhadKachare working as a Deputy Commissioner (Rev.) in the office of the Divisional Commissioner, Aurangabad personally. He has submitted that the mistake occurred while granting approval to the impugned orders of transfer issued by the Collector, Jalna due to inadvertence and therefore, he tendered apology for the said. He has also submitted that the necessary directions were given to the Collector, Jalna to take corrective measures and the Collector, Jalna has issued order dated 6.9.2017 cancelling the impugned orders of transfer of the applicant and reposting him on his earlier posting. He has also tendered unconditional apology as regards failure

on his part to file the affidavit in view of the directions given by this Tribunal.

7. As the Deputy Commissioner (Rev.), in the office of Divisional Commissioner, Aurangabad has tendered his unconditional apology for not following the directions of this Tribunal, I accept the same. Consequently, I withdraw the notice issued to him.

8. The respondent No. 3 i.e. the Collector, Jalna has cancelled the impugned orders 5.12.2016 and 6.12.2016 by issuing order dated 6.9.2017, therefore, the applicant does not want to proceed with the present O.A. Hence, the Original Application stands disposed of accordingly with no order as to costs.

MEMBER (J)