

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

**ORIGINAL APPLICATION NO. 795/2017  
(Dr. Anil Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

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

2. Issue notices to the respondents in the present O.A., returnable on 19.12.2017.

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

04. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be

obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

**7. In view of ex parte interim relief granted by the Tribunal in O.A. st. 1512/2017 on 6.10.2017 (Annex. A.5 page 22), similar interim relief is granted in the present matter in terms of prayer clause "c" (in fact prayer clause "d") until further order, which reads as under :-**

**"Prayer clause "c" (in fact prayer clause "d") :- Respondents may kindly be restrained from recovering the alleged excess amount paid to applicant from monthly salary of the applicant."**

8. S.O. to 19.12.2017.

9. Steno copy & hamdast allowed to both the sides.

**VICE CHAIRMAN**

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

**O.A. NO. 657/2016  
(Shaikh Shabana Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

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

2. The learned Advocate, on instructions from the applicant, and also on the basis of the copy of the order dated 4.10.2017 passed by the concerned respondent, submits that the grievance of the present applicant is redressed and the present O.A. has become infructuous.

3. In view of above submission of the learned Advocate for the applicant, the present O.A. stands disposed of as it has become infructuous without any order as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 802/2017  
(Dattu Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

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

2. At the request of learned P.O., S.O. to 15.12.2017 for filing affidavit in reply.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 258/2017  
(Dr. Deepashri Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

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

2. At the request of learned P.O., S.O. to 4.1.2018 for filing affidavit in reply.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 275/2017  
(Mohd. Asfiouddin & Anr. Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 10.11.2017**

**ORAL ORDER:**

Heard Shri I.D. Maniyar, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned P.O., as a last chance, S.O. to 5.1.2018 for filing affidavit in reply.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 324 OF 2017  
(Dr. Vilas Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent nos. 1 to 4, Shri S.R. Dheple, learned Advocate for respondent nos. 5 & 6 and Shri J.S. Deshmukh, learned Advocate for respondent no. 8. None appears for respondent no. 7.

2. At the request of learned P.O. and Advocates for the respondents, S.O. to 11.12.2017 for filing affidavit in reply of respective respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 328 OF 2017  
(Mrs. Megha Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

Heard Shri D.P. Sathe, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicant, Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 3, Shri S.R. Dheple, learned Advocate for respondent no. 4.

2. At the request of learned P.O. for res. nos. 1 to 3 and learned Advocate for the respondent no. 4, S.O. to 11.12.2017 for filing affidavit in reply of respective respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017



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

**ORIGINAL APPLICATION NO. 348 OF 2017  
(Dr. Prashant Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

Heard Shri I.D. Maniyar, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1 to 4, Shri S.R. Dheple, learned Advocate for respondent no. 5.

2. At the request of learned P.O. for res. nos. 1 to 4 and learned Advocate for the res. no. 5, S.O. to 11.12.2017 for filing affidavit in reply of respective respondents.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 371/2017  
(Vasant Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

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

2. The learned P.O. undertakes to file short affidavit of res. no. 2 as per order of the Tribunal dated 12.10.2017, during the course of the day. It be taken on record and copy thereof be supplied to the learned Advocate for the applicant. S.O. to 28.11.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 387/2017  
(Naresh Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

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

2. At the request of learned P.O., S.O. to 13.12.2017 for filing affidavit in reply.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 394/2017  
(Rajesh Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The learned Advocate for the applicant submits that copy of affidavit in reply of the respondents is yet to be received to him. He will collect the same from the learned P.O. In the circumstances, S.O. to 4.1.2018 for admission hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 395/2017  
(Smt. Shobha Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent no. 1.

2. Shri S.B. Mene, learned Advocate has filed his V.P. for res. nos. 2 & 3. It is taken on record.

3. An arguable case is made out. Hence, the present O.A. is hereby admitted. In the circumstances, S.O. to 8.1.2018 for final hearing.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 435/2017  
(Anita Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 11.1.2018 for filing affidavit in rejoinder.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NOS. 463, 464 AND 465 ALL OF 2017  
(Raosaheb, Rajendra & Ashok Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017**

**ORAL ORDER:**

Heard Shri A.S. Deshmukh, learned Advocate for the applicants in all these matters and S/shri S.K. Shirse, M. P. Gude & N.U. Yadav, learned Presenting Officers for the respondents in all these matters.

2. The learned P.Os. seek time for production of some important documents as per order dated 13.10.2-017 and for hearing of the matters. At their request, S.O. to 16.11.2017.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 10-11-2017

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

**ORIGINAL APPLICATION NO. 126/2017  
(Arjun Vs. The State of Maharashtra and Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

**DATE : 10.11.2017**

**ORAL ORDER:**

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. The applicant is seeking quashment of the order dated 19.1.2017 issued by the res. no. 3, wherein after retirement of the applicant a recovery from the retiral benefits is directed on the ground that the time bound promotions granted to him on two times are required to be rectified, which would entail into recovery of the amount.

The narrow compass of controversy is that at the time of granting first time bound promotion on 1.10.1994 the applicant's temporary service from 2.3.1981 was considered by the then Head of the Department, which at the time of pay verification, upon his retirement, was found to be wrong.

3. The learned Advocate for the applicant has placed reliance on the ratio laid down in the decision rendered by the Single Bench of



principal seat of this Tribunal at Mumbai i. e. **O.A. no. 342/2016** dated 9.3.2017 (document 'X'). The said decision is based on the ratio laid down by the Hon'ble Supreme Court in **Civil Appeal NO. 11527/2014 (arising out of SLP (c) No. 11684/2012) State of Punjab and Ors. Vs. Rafiq Masih (White Washer) etc.** dated 18.12.2014. The issue of undertaking from the applicant at the time of granting benefits was raised by the respondents therein and it was overruled by the learned Member of the Tribunal at Mumbai.

4. In my opinion, in view of the decision of Hon'ble Single Bench of this Tribunal at Mumbai i. e. O.A. no. 342/2016 dated 9.3.2017, the present original application deserves to be allowed. Hence I pass following order :-

### **ORDER**

(i) The original application is allowed without any order as to costs.

(ii) The impugned order dated 19.1.2017 issued by the res. no. 3 and the consequential recovery in view of passing of the said order is hereby quashed and set aside.

(iii) It is hereby directed that the amount withheld be paid to the applicant at the earliest and in any case within a period of 3 months from the date of this order.

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO.466/2017  
(Shri Sham Pande V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM: JUSTICE M.T.JOSHI, V.C.**

**DATE : 10.11.2017.**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate holding for Shri A.N.Walujkar learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. As a last chance, at the request of learned P.O. time is granted till 27-11-2017 for filing affidavit in reply with a warning that, in case, no affidavit in reply is filed or no clarification is given as has been referred to in the order dated 29<sup>th</sup> August, 2017, interim relief may be granted in favour of the applicant on that date.

3. S.O. to 27-11-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 10-11-2017 VC F

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

**M.A.No.262/2017 IN O.A.St.No.521/2017  
(Shri Rajendra Jagdale V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM: JUSTICE M.T.JOSHI, V.C.**

**DATE : 10.11.2017.**

**ORAL ORDER :**

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

2. Learned CPO files affidavit in reply in the M.A. It is taken on record. Copy thereof has been served on the other side.

3. At the request of learned Advocate for the applicant, S.O. to 07-12-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 10-11-2017 VC F

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

**M.A.St.No.968/2017 IN M.A.St.No.969/2017 IN  
O.A.St.No.970/2017  
(Shri Kailas Jadhav & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM: JUSTICE M.T.JOSHI, V.C.**

**DATE : 10.11.2017.**

**ORAL ORDER :**

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time granted.
3. At his request, S.O. to 07-12-2017.

**VICE CHAIRMAN**

YUK ORAL ORDER 10-11-2017 VC F

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

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

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM: JUSTICE M.T.JOSHI, V.C.**

**DATE : 10.11.2017.**

**ORAL ORDER :**

Heard Shri P.N.Nagargoje learned Advocate holding for Shri D.B.Thoke learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. Learned P.O. submits that without filing any appeal with competent authority, present O.A. challenging suspension is filed, therefore, same is not maintainable.

3. Shri P.N.Nagargoje learned Advocate holding for Shri D.B.Thoke learned Advocate for the applicant seeks accommodation.

4. At his request, S.O. to 06-12-2017 for taking instructions on the above line.

**VICE CHAIRMAN**

YUK ORAL ORDER 10-11-2017 VC F

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

**ORIGINAL APPLICATION NO. 794 OF 2017  
(Shri Rajendra P. Sanap V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 13<sup>th</sup> December, 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 O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. S.O. to 21<sup>st</sup> December, 2017.

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

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 799 OF 2017  
(Shri Mangesh S. Vishwasu V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 18<sup>th</sup> December, 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 O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. S.O. to 18<sup>th</sup> December, 2017.

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

**VICE CHAIRMAN**



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

**REV. 5/2017 IN O.A.NO. 754/2012  
(Dr. Ansari Majid & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.

3. It is a common submission that Writ Petition no. 6261/2017, a reference of which is made in the order dated 29.08.2017, is still pending before the Hon'ble Bombay High Court. In the circumstances, S.O. to 21<sup>st</sup> December, 2017 for hearing on admission.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 77 OF 2017  
(Shri Rajesh B. Yawalkar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

Shri Rajesh B. Yawalkar, applicant in person present. Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Party in person seeks time to engage another Advocate. At his request, S.O. to 5<sup>th</sup> January, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 517 OF 2017  
(Shri ANup S. Kulkarni V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has filed on record chronological sequence at Annexure 'X' earlier. At page-86, it is mentioned that after revised answer keys were prepared and published, few candidates again raised objections regarding answer. However, it is not clear as to whether the present applicant has raised any objection to the revised answer key. Therefore, the learned Advocate, as well as, learned Presenting Officer are directed to take instructions from the applicant and respondents respectively and make a statement on the next date.

3. S.O. to 5<sup>th</sup> December, 2017. The present case be placed along with O.A. No. 557/2017. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD  
ORIGINAL APPLICATION NO. 592 OF 2017  
(Association of Pharmacy Teachers of India V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

Shri Amol N. Kakade, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Heard both sides. It appears that the arguable case is made out. Hence, **admit**.

3. The present case **be placed before the Division Bench** as and when it is available.

4. Considering the fact that vires of the provisions of rule will have to be examined in the present application, it is hereby directed that appointment, if any made by the concerned respondent to the concerned post, shall be subject to the decision in the present application.

5. The concerned respondents are, therefore, directed to publish on their website that the appointment, if any made, shall be subject to the outcome of the O.A. No. 592/2017 and also at the time of issuing appointment order, the said statement shall be included.

**VICE CHAIRMAN**

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

**ORIGINAL APPLICATION NO. 633 OF 2017  
(Dr. Shivshankar C. Harlayya V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

Shri Amol S. Gandhi, learned Advocate for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer submits that as the applicant has already retired, the subsequent provisions of the G.R. would not be applicable to him and, therefore, the present O.A. is not maintainable.

3. It appears that on the last date i.e. on 10.10.2017 nobody appeared for the applicant. Today also nobody appears for the applicant. In the circumstances, **S.O. to 12<sup>th</sup> December, 2017** for hearing on the above line.

4. In case, it is found that the affidavit in reply would be necessary, liberty to file the same is hereby granted.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 716 OF 2017  
(Dr. Mohd. Sajid Irfan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

Heard Shri J.M. Murkute, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to take instructions on the line of the order dated 5<sup>th</sup> October, 2017. At his request, S.O. to 5<sup>th</sup> December, 2017.

3. Respondents shall file affidavit in reply on the line of the earlier order dated 5<sup>th</sup> October, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 747 OF 2015  
(Shri Sadhu K. Lohar V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

Heard Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply to the amended O.A. At his request, S.O. to 14<sup>th</sup> December, 2017.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 44 OF 2015  
(Sow. Sulbha A. Dnyate V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

Heard Mrs. S.J. Kulkarni, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Upon hearing both the sides, it appears that the issue regarding the salary of the period during which she was reverted will have to be considered in the present application. Hence, the present case be placed before the Division Bench, as and when it is available.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD



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

**ORIGINAL APPLICATION NO. 117 OF 2015  
(Shri Ganendrasingh B. Chandel & Ors. V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

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

**DATE : 10.11.2017.**

**ORAL ORDER :**

Heard Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the present case pertains to the Single Bench and it is wrongly placed before the Division Bench. He further submits that the similar case i.e. O.A. No. 205/2015 is posted on 10<sup>th</sup> January, 2018.

3. Hence, the present case be placed along with the aforementioned O.A. No. 205/2015 on 10<sup>th</sup> January, 2018.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD

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

**ORIGINAL APPLICATION NO. 313 OF 2017  
(Shri Tulshiram B. Chavan V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

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**TRIBUNAL'S ORDERS**  
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**CORAM : JUSTICE M.T. JOSHI, V.C.**

**DATE : 10.11.2017.**

**ORAL ORDER :**

Heard Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Mrs. Deepali S. Deshpade, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 5<sup>th</sup> December, 2017 for filing affidavit in rejoinder.

**VICE CHAIRMAN**

ORAL ORDERS 10.11.2017-HDD