

ORIGINAL APPLICATION NO.130/2017
(Priyanka Appasaheb Dongre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Heard Shri S.K.Chavan, learned Advocate for the applicant, Shri B.S.Deokar, learned Presenting Officer for the respondent nos.1 to 4 and Shri Abhijit V. Thombre learned Advocate holding for Shri S.S.Thombre learned Advocate for respondent no.5.

None appears for respondent no.6.

2. On 14-09-2016, the Collector, Beed who is also the President of the District Selection Committee of the said District, has issued the advertisement inviting applications for several posts. The present applicant had applied for the post of Maharashtra Municipal Council Water Supply, Drainage and Sanitary Engineering Services (Class-C). Respondent no.5 had also applied for the said post. Since the applicant as well as the respondent no.5 both were claiming benefit of Female Reservation, as per the conditions imposed in the advertisement both were under an obligation to produce before the concerned authority the certificate in that regard.

3. It is the contention of the applicant that after the selection process was completed the list was published of the selected candidates and in the said list respondent no.5 was shown at Sr.No.1 and the present applicant was shown in the waiting list at Sr.No.1. It is the grievance of the applicant that neither on the date of advertisement nor on the date of scrutiny of the documents respondent no.5 was holding Non-Creamy Layer Certificate in her favour and the same was not produced by her before the selection committee on the day on which it was required to be produced. In the circumstances, according to the applicant respondent no.5 could not have been selected. Applicant has further contended that on the date of interview and scrutiny of documents, since the applicant was possessing Non-Creamy Layer Certificate, she was entitled to be selected and must have been given appointment.

4. The fact that the respondent no.5 did not produce the Non-Creamy Layer Certificate on the stipulated date is not disputed even by respondent nos.1 to 4 or by the respondent no.5. What is revealing from the record is that the respondent no.5 produced the Non-Creamy Layer Certificate on 06-01-2017 i.e. on the next day of scrutiny of documents. It is the contention of the respondent no.5 that the selection committee has permitted her to file the

said certificate on the next day and accordingly it was produced on 06-01-2017. It is the further contention of the respondent no.5 that she being more meritorious candidate the selection committee has selected her and given appointment on the said post. Respondent nos.1 to 4 also have same contention that selection committee after having considered the merit of the respondent no.5 granted her time to submit the Non-Creamy Layer Certificate later on and accordingly she produced the said certificate on 06-01-2017. According to respondent nos.1 to 4, respondent no.5 being more meritorious candidate was rightly selected by the respondents.

5. The issue before us is whether respondent nos.1 to 4 were having such authority to relax the condition and permit respondent no.5 to file Non-Creamy Layer Certificate later on ?

6. Learned Counsel for the applicant has relied upon the judgment of the Hon'ble Apex Court in the case of **Bedanga Talukdar V/s. Saifudaullah Khan & Ors.** reported in [2012 AIR (SC) 1803] wherein Hon'ble Supreme Court has held that there can be no relaxation in terms and conditions as mentioned in the advertisement unless such power is specifically reserved. It is further explained that even if such power of relaxation is provided in the concerned rules, it must be still mentioned in the

advertisement. It is further held that in absence of such power if such relaxation is given it would be contrary to the mandate of equality under Articles 14 and 16 of the Constitution of India. The Hon'ble Bombay High Court as well as this Tribunal have consistently held that the candidates claiming benefit of Female Reservation are mandatorily required to produce Non-Creamy Layer Certificate on the date on which the advertisement is published or any other date on which the same is directed to be submitted before the selection committee.

7. We have carefully gone through the advertisement issued in the present matter. In the said advertisement there is no such clause giving power to the Chairman of the District Selection Committee or the Members of the said Selection Committee to give any relaxation in the terms and conditions incorporated in the said advertisement. Under clause 8 of the said advertisement, terms and conditions are mentioned. Sub clause 12 of the said clause no.8 specifies that the candidates desiring to avail the benefit of falling in the category of Non-Creamy Layer are mandatorily required to produce the said Non-Creamy Layer Certificate issued by the competent authority at the stage of scrutiny of the original documents. Sub clause 13 of the said clause 8 further ratifies that the candidates who would succeed in the written examination and would be

included in the merit list will have to necessarily produce all the required documents i.e. in regard to their educational qualification, caste certificate and Non-Creamy Layer Certificate issued by the competent authority as well as certain other documents at the stage of scrutiny of the original documents. It is further particularly reiterated that it is mandatory to produce such documents at the stage of scrutiny of the documents. The word used is “अनिवार्य” meaning thereby that it was mandatory. Thereafter, in subsequent clause no.9 sub clause 2., it is further repeated that the female candidates claiming benefit of the Female Reservation must produce the Non-Creamy Layer Certificate valid up to 31-03-2017 at the time of scrutiny of the documents.

8. We reiterate that there is no clause in the advertisement giving the selection committee any power of relaxation in the terms and conditions as mentioned in the said advertisement. It is thus evident that the candidates whose names were included in the merit list and who were called for scrutiny of documents were mandatorily required to produce the Non-Creamy Layer Certificate and other necessary certificates in their original for scrutiny before the Selection Committee or any other officer appointed for the purpose of scrutiny of the documents on the day of scrutiny. There is no dispute that present applicant as well

as respondent no.5 both were included in the merit list having passed the written examination. It is the matter of record and there is no dispute about it that the marks were revised and after revision of the marks applicant was stated to have secured 110 marks whereas the respondent no.5 had secured 112 marks. It is further not in dispute that applicant as well as respondent no.5 both were called for scrutiny of the original documents on 05-01-2017 vide letter dated 02-01-2017. In the said letter dated 02-01-2017 also it has been reiterated that the candidates concerned shall produce on record the relevant documents deciding their eligibility for their selection including that of Non-Creamy Layer Certificate. It is not in dispute that on 05-01-2017 respondent no.5 did not produce on record the Non-Creamy Layer Certificate. The applicant, whereas, did produce the Non-Creamy Layer Certificate valid up to 31-03-2017 for scrutiny of the Selection Committee.

9. It is the contention of respondent no.5 that the Selection Committee had permitted her to file Non-Creamy Layer Certificate on the next day and accordingly she filed it on record. Respondent nos.1 to 4 in their affidavit in reply have not disputed the fact that respondent no.5 was called for verification of documents on 05-01-2017 and further that she did not file the Non-Creamy Layer Certificate on the said date. It is further contention of the

respondent nos.1 to 4 that the respondent no.5 filed an application seeking time for production of Non-Creamy Layer Certificate and she was permitted to file the same on the next day and accordingly she had submitted the Non-Creamy Layer Certificate on 06-01-2017.

10. The question arises whether the Selection Committee was having any power to relax the condition of submitting the Non-Creamy Layer Certificate for scrutiny on the date given for verification of the documents. As has been elaborately discussed by us, the Selection Committee was not having any such right or authority to give any relaxation to any candidate. The relaxation so given to respondent no.5 by the respondents was, therefore, contrary to the mandate of equality under Article 14 and 16 of the Constitution of India. The Selection Committee exercised the powers which were not vested in it. In the circumstances, the selection made of respondent no.5 by the Selection Committee by arbitrary exercise of the discretion not vested in it cannot be sustained and has to be set aside.

11. As noted hereinbefore, name of respondent no.5 was at Sr.No.1 in the list declared of the selected candidates whereas the applicant is shown in the waiting list at Sr.No.1. In view of the fact that we have held the appointment of respondent no.5 unsustainable, the right

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has accrued in favour of the present applicant being at Sr.No.1 in the waiting list to be considered for her appointment. For the reasons stated above, following order is passed.

ORDER

- (i) Original Application is allowed.
- (ii) The selection and the consequent appointment of respondent no.5 on the post of Maharashtra Municipal Council Water Supply, Drainage and Sanitary Engineering Services (Class-C) is set aside.
- (iii) The respondents are directed to offer the appointment to the present applicant being the candidate at Sr.No.1 in the waiting list within the period of one month from the date of this order.
- (iv) There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 26 OF 2019
(Vinod S. Muley Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri M.B. Bharaswadkar, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on 21.2.2022.

MEMBER (A)

MEMBER (J)

**O.A.NOS.179, 180, 279, 280 & 346 ALL OF 2019
(Dr. Suryakant D. Sonkhedkar & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants in all these cases, Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all these cases and C.D. Biradar, learned counsel for respondent Nos. 3 & 4 in O.A. No. 279/2019, are present.

2. Learned counsel for the applicants sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 1.3.2022.

MEMBER (A)

MEMBER (J)

**O.A.NOS. 377, 565, 630, 660, 661 & 988 OF 2019 AND
O.A.NOS. 108 & 109 BOTH OF 2020
(Somnath A. Nande & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri V.S. Panpatte, learned counsel for himself and holding for Shri R.C. Bramhankar, learned counsel for the applicants in respective cases and S/Shri M.S. Mahajan, I.S. Thorat & Mrs. Deepali S. Deshpande, learned Chief Presenting Officer and learned Presenting Officers for the respondents in respective cases, are present.

2. Learned Chief Presenting Officer & learned Presenting Officers sought time for filing affidavit in reply in all these cases. Time granted.

3. S.O. to 28.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 1021 OF 2019
(Dr. Prashant D. Warkari Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.

3. S.O. to 24.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 113 OF 2020
(Graduate Part Time Employees Association, Dhule, Through
its President Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel holding for Shri Ashish B. Rajkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned counsel appearing for the applicant, issue fresh notices to the respondents, returnable on 24.2.2022.

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

4. Applicant is authorized and directed to serve on respondent/s 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 24.2.2022.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 190 OF 2020
(Rajendra S. Aware Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Affidavit in reply on behalf of respondent Nos. 1 to 3 has already been filed on record. The applicant has also filed rejoinder affidavit.

3. List the matter for hearing on 24.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 412 OF 2020
(Omprakash H.Kothari Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicant, Shri M.P. Gude, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri Sham Patil, learned counsel for respondent No. 4, are present.

2. Learned counsel for respondent No. 4 sought time for filing affidavit in reply. Time granted.

3. S.O. to 24.2.2022. Status quo granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 430 OF 2020
(Ashok D. Talde & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri A.S. Deshmukh, learned counsel for the applicants, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 to 4, Shri R.O. Awasarmol, learned counsel for respondent Nos. 13, 14, 19, 21, 24,28, 42 & 61 and Shri D.S. Pagare, learned counsel for respondent Nos. 26 30,32, 37, 56 & 59, are present. None appears for other respondents.

2. Learned counsel Shri D.S. Pagare has filed affidavit in reply on behalf of respondent Nos. 26, 30, 32, 37, 56 & 59 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 24.2.2022 for filing affidavit in reply on behalf of other respondents.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 442 OF 2020
(Bhagwan S. Naik Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri V.V. Deshmukh, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 25.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 153 OF 2021
(Dr. Kiran P. Rochkari Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.

3. S.O. to 25.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 596 OF 2021
(Uday H. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri Yogesh P. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.

3. S.O. to 25.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 598 OF 2021
(Bramhdev M. Latpate Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri S.D. Dhongde, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.

3. S.O. to 25.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 664 OF 2021
(Sanjay D. Gangawane & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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 copy thereof has been served on the learned counsel for the applicants.

3. At the request of learned counsel for the applicant, S.O. to 20.1.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 797 OF 2021
(Ranjana D. Jaybhaye Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri Sandeep D. Munde, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted.

3. S.O. to 28.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 358/2015 IN O.A.NO. 238/2015
(Dinesh S. Joshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri R.J. Godbole, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, present.

2. Learned Chief Presenting Officer has not filed affidavit in reply though on the last occasion i.e. on 15.12.2021 time was granted for filing affidavit in reply as a last chance.

3. In the circumstances, list the matter for hearing on 18.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.269/21 WITH M.A.ST.802/21 IN OA ST.803/21
(Dattatraya S. Sonawane Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri V.S. Panpatte, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply in M.A. No. 269/2021. Time granted.

3. S.O. to 28.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 306/2021 IN O.A.ST.NO. 1305/2021
(Kiransingh A. Pal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri S.D. Dhongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicant, Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri S.B. Mene, learned counsel for respondent Nos. 3 & 4, are present.

2. Affidavit in reply on behalf of all the respondents has not filed in the present matter today also though on the last occasion i.e. on 15.12.2021 time was granted as a last chance for filing the affidavit in reply.

3. In the circumstances, list the matter for hearing on 21.2.2022

MEMBER (A)

MEMBER (J)

**M.A.NO. 4/2022 IN O.A.ST.NO. 1705/2021
(Sanjay D. Pathrut & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Heard Shri M.D. Narwadkar, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 1705 OF 2021
(Sanjay D. Pathrut & Ors. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Heard Shri M.D. Narwadkar, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 28.2.2022.

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

4. Applicant is authorized and directed to serve on respondent/s 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 28.2.2022.

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

MEMBER (A)

MEMBER (J)

**M.A.NO. 20/2022 IN O.A.ST.NO. 14/2022
(Bhagwat S. Mane & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 14 OF 2022
(Bhagwat S. Mane & Ors. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 28.2.2022.

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

4. Applicant is authorized and directed to serve on respondent/s 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 28.2.2022.

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

MEMBER (A)

MEMBER (J)

**C.P.NO. 26/2019 IN O.A.NO. 793/1996
(Chokhoba S. Kharat Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent No. 1 and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. At the request of learned counsel for respondent Nos. 2 & 3, S.O. to 4.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 19.01.2022-HDD

**M.A.NO. 62/2021 IN O.A.NO. 461/2020
(The Chief Engineer Water Resources Department,
Aurangabad Vs. Shaikh Rahim Ameeroddin)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri Sham Patil, learned counsel for the applicant in M.A. No. 62/2021, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri R.P. Bhumkar, learned counsel for the applicant in O.A., are present.

2. By consent of both the parties, S.O. to 11.2.2022.

MEMBER (A)

MEMBER (J)

**O.A.NOS. 279 TO 282 ALL OF 1998
(Suresh B. Sathe & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri P.M. Shirsath, learned counsel for the applicants in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases, are present.

2. By consent of both the parties, S.O. to 9.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 19.01.2022-HDD

**ORIGINAL APPLICATION NO. 624 OF 2013
(Yogesh P. Ghuge & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri M.C. Ghode, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 24.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 555 OF 2014
(Sudhir A. Sathe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for the applicant has filed leave note. Smt. M.S. Patni, learned Presenting Officer for the respondents, present.

2. In view of leave note filed by the learned counsel for the applicant, S.O. to 24.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 404 OF 2018
(Uddhav G. Gangawane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 5 and Shri R.M. Jade, learned counsel for respondent No. 6, are present.

2. By consent of both the parties, S.O. to 24.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 440 OF 2018
(Shivaji D. Sirsat Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4 and Shri Chandrakat S. Jagtap, learned counsel for respondent No. 5, are present.

2. By consent of both the parties, S.O. to 3.2.2022. High on board.

MEMBER (A)

MEMBER (J)

**O.A.NOS. 716, 634, 635 & 636 ALL OF 2018
(Atul N. Shirke & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases, are present.

2. By consent of both the parties, S.O. to 3.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 19.01.2022-HDD

**ORIGINAL APPLICATION NO. 110 OF 2019
(Ashok M. Randhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 3.2.2022.

MEMBER (A)

MEMBER (J)

**O.A.NOS. 378, 379, 381, & 382 ALL OF 2019
(Maharudra B. Wanve & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri V.S. Panpatte, learned counsel for the applicants in all these cases and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents in all these cases, are present.

2. By consent of both the parties, S.O. to 28.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 19.01.2022-HDD

**M.A.NO. 443/2019 IN O.A.NO. 335/2019
(Hanumant V. Patil & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicants in M.A., Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri S.V. Bhopi, learned counsel holding for Shri V.R. Dhorde, learned counsel for the applicant in O.A., are present.

2. By consent of both the parties, S.O. to 14.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 959 OF 2019
(Rahul D. Sathe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri R.D. Khadap, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 27.1.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 174 OF 2021
(Shaikh Musa Shaikh Mohioddin Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri H.M. Shaikh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 21.2.2022.

MEMBER (A)

MEMBER (J)

C.P. 13/2021 IN O.A. 797/2019

**(Maharashtra Rajya Rekhachitra Shakha Karmachari
Sanghatana, Maharashtra Rajya Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri A.S. Khedkar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 28.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 192/2016
(Maroti S. Koli Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri M.A. Golegaonkar, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 21.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 392/2018
(Chandrakant R. Kapse Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **19.01.2022**

ORAL ORDER :

Shri J.S. Gangawane, learned Counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities and Shri U.S. Dambale, learned Counsel for respondent nos. 5 to 7 & 9, are present.

2. With the consent of both the sides, S.O. to 24.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 397/2019
(Shilpa J. Ingle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 24.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 146/2020
(Ankush H. Manbhare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 to 3 and Shri S.A. Deshmukh, learned Counsel for respondent no. 4, are present.

2. With the consent of both the sides, S.O. to 21.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 422/2020
(Nilesh R. Tagad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri S.D. Munde, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 21.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 425/2020
(Sachin U. Shinde & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri H.A. Joshi, learned Counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri M.B. Bharaswadkar, learned Counsel for respondent nos. 5, 6 & 11, are present.

2. With the consent of both the sides, S.O. to 21.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 69/2021
(Jayshree R. Sonkavade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 23.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 188/2021
(Jayshree R. Dixit Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 23.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 342/2021
(Kalpana T. Shelke & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri A.S. Deshmukh, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 28.1.2022 for hearing. The matter be placed **High on Board**.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 445/2021
(Gautam C. Deolalikar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 3.2.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 580/2021
(Dr. Santram M. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri Ram S. Shinde, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 18.2.2022 for hearing. The matter be placed **High on Board**.

MEMBER (A)

MEMBER (J)

**O.A. NOS. 935, 936 AND 937 ALL OF 2016
(Toliram P. Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 19.01.2022

ORAL ORDER :

Shri S.D. Joshi, learned Counsel for the applicant in all the three matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all the three matters, are present.

2. When the present matters were taken up for hearing, the learned C.P.O. has tendered across the bar the copy of communication dated 15.2.2021, whereby the Law & Judiciary Department has suggested the clubbing of all the matters pending against the present applicant. Though the said communication is dated 15.2.2021, nothing is brought to our notice, whether any application for clubbing all the pending matters against the present applicant has been filed by the authorities before the principal bench of this Tribunal at Mumbai. Since 11 months have past therefrom, there is no ground to adjourn the present matters. Therefore, we asked the parties to advance their arguments.

3. Arguments of parties are heard and the matters are now reserved for orders.

MEMBER (A)

MEMBER (J)

C.P. 33/2019 IN O.A. 678/2017
(Makrand S. Bhalerao Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri Asif Ali, learned Counsel holding for Smt. A.N. Ansari, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. At the request of learned Counsel for the applicant, S.O. to 28.1.2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 66/2018
(Dnyeshwar P. Kadam Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **19.01.2022**

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Counsel holding for Shri Kuldeep S. Patil, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 28.1.2022. The matter be placed **High on Board**.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 692/2018
(Sachin S. Kamble Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri C.V. Dharurkar, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 21.1.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 813/2018
(Robinson Rahat Masih Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 19.01.2022

ORAL ORDER :

Shri N.B. Narwade, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Arguments of both the sides are heard. The matter is closed for orders.

MEMBER (A)

MEMBER (J)

DATE : 19.01.2022

ORIGINAL APPLICATION NO. 30 OF 2022

(Mahesh S. Vaidya Vs. The State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai-**

1. Shri A.R. Barate, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 11.02.2022. The case be listed for admission hearing on **11.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 19.01.2022

ORIGINAL APPLICATION NO. 35 OF 2022

(Vikas R. Pradhan Vs. The State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai-**

1. Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 14.02.2022. The case be listed for admission hearing on **14.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 19.01.2022

**M.A. No. 16/2022 in O.A. St. No. 1505/2021
(Ramesh R. Kulthe Vs. The State of Maharashtra & Ors.)**

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai-**

1. Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 14.02.2022. The case be listed for admission hearing on **14.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 19.01.2022

ORIGINAL APPLICATION NO. 37 OF 2022

(Vasundhara V. Borgaonkar Vs. The State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai-**

1. Shri D.T. Devane, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 02.02.2022. The case be listed for admission hearing on **02.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

DATE : 19.01.2022

ORIGINAL APPLICATION NO. 41 OF 2022

(Nagesh D. Harne & Anr. Vs. The State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai-**

1. Shri K.B. Jadhav, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 11.02.2022. The case be listed for admission hearing on **11.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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 acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR