

**ORIGINAL APPLICATION NO. 81/2021
(Sadashiv B. Gitt Vs. State of Maharashtra & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri J.M. Murkute, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 7.7.2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 279/2021
(Pratap A. Garje Vs. State of Maharashtra & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 7.7.2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 637/2021
(Ravindra G. Kulkarni Vs. State of Maharashtra & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 5.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 684/2021
(Dr. Rekha G. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : **2.5.2022**

ORAL ORDER :

Shri Pranav P. Phadnis, learned counsel holding for Ms. Neha Kamble, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 774/2021
(Ganesh L. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri S.A. Kulkarni, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 19/2022
(Bharat B. Gujar Vs. State of Maharashtra & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer has tendered across the bar affidavit in reply of respondent no. 3. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 8.7.2022 for filing rejoinder affidavit.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 22/2022
(Abaji B. Amrute Vs. State of Maharashtra & Ors.)

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

DATE : **2.5.2022**

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

**O.A. NOS. 153, 154 AND 155 ALL OF 2022
(Rupali J. Namewar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri G.K. Kshirsagar, learned counsel for the applicants in all these matters and Shri M.P. Gude, Smt. Deepali S. Deshpande & Smt. M.S. Patni, learned Presenting Officers for the respondents in respective matters, are present.

2. Learned Presenting Officers have tendered across the bar separate affidavit in reply of respondent nos. 1 & 3 in respective matters. The same are taken on record and copies thereof are supplied to the learned counsel for the applicants.

3. S.O. to 11.7.2022 for filing rejoinder affidavits, if any..

MEMBER (A)

VICE CHAIRMAN

**M.A. 74/2021 IN O.A. ST.294/2021
(Appasaheb Bhanudas Shinde Vs. State of Maharashtra &
Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Heard Shri Nitin Jagdale, learned counsel holding for Shri M.V. Salunke, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present Misc. Application has been filed by the applicant for condonation of delay of 2 months occurred in filing the accompanying Original Application.

3. For the reasons stated in the misc. application the same is allowed. The delay is condoned. Register the Original Application in accordance with law.

MEMBER (A)

VICE CHAIRMAN

O.A. ST.294/2021

(Appasaheb B. Shinde Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 2.5.2022

ORAL ORDER :

Heard Shri Nitin Jagdale, learned counsel holding for Shri M.V. Salunke, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 13.7.2021.
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 13.7.2021.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

M.A. 415/2021 IN O.A. 717/2021

M.A. 416/2021 IN O.A. 716/2021

M.A. 417/2021 IN O.A. 718/2021

O.A. NO. 719/2021

**(Smt. Meena V. Shinde & Ors. Vs. State of Maharashtra
& Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 2.5.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Counsel for the applicants in all these matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. When the present matters are taken up for consideration, the matters could not be heard due to paucity of time. It is brought to our notice that the respondents have not paid salary to the applicants since last 3 months even of the reverted post. If this be so, we direct the respondents to release the salaries of the present applicants of the last three months within a week. Applicants shall accept the said salary, reserving their right to contest the issue of reversion.

3. S.O. to 20.6.2022.

MEMBER (A)

VICE CHAIRMAN

**M.A. 182/2022 IN O.A. NO. 553/2021
(Sm. Sunayana Suryakant Suryawanshi Vs. State of
Maharashtra & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Heard Shri A.A. Nimbalkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Vide the present application the applicant is intending to bring on record the subsequent events and intends to add the contentions based on the Government Resolutions and Circulars in regard to the benefits provided for the persons falling in the category of Orphan.

3. The learned Presenting Officer has submitted for passing the appropriate order in the matter.

4. After having considered the submissions, we are inclined to allow the present application since the amendment is sought for bringing on record the subsequent events. We also permit the applicant to file on record the documents annexed to the present application.

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M.A. 182/2022 IN O.A. NO. 553/2021

5. The Misc. Application thus stands allowed in aforesaid terms. The necessary amendment be carried out forthwith.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 2.5.2022

ORIGINAL APPLICATION NO. 553/2021
(Sm. Sunayana Suryakant Suryawanshi Vs. State of
Maharashtra & Ors.)

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

DATE : **2.5.2022**

ORAL ORDER :

Heard Shri A.A. Nimbalkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The grievance of the applicant in the present Original Application is that the M.P.S.C. has declined to consider the candidature of the present applicant from the category of Orphan. The learned counsel submitted that insofar as the position based on the G.R. dated 2.4.2018 is concerned, the distinction was possible whether to consider the applicant in the category of Orphan entitled to the benefit as per the said G.R. The learned counsel submitted that, however, after issuance of G.R. dated 23.8.2021 the confusion has been removed and the persons alike the applicant are also made eligible for claiming reservation meant for Orphans. The learned counsel further submitted that, as mentioned in the said G.R. it would apply to all the examinations and recruitments after 2.4.2018. The

learned counsel pointed out that under the orders of the Hon'ble High Court the applicant was permitted to appear for mains examination, however, her result has not been declared so far. The learned counsel pointed out that the result of the mains examination has been declared on 27.3.2022 i.e. after 2.4.2018, and as such, the M.P.S.C. was bound to consider the candidature of the applicant from the category of Orphan. The learned counsel in the circumstances has prayed for allowing the Original Application and directing the M.P.S.C. to declare the result of the applicant and consider her case on merit for appointment on the subject post in order of merit.

4. The learned Presenting Officer sought to contend that at the relevant time the M.P.S.C. has rightly declined to consider the candidature of the applicant from the Orphan category on the basis of earlier Resolution. However, in view of the subsequent Resolution the learned Presenting Officer prayed for passing appropriate order in the matter.

5. We have considered the submissions advanced by the learned counsel appearing for the applicant and the learned Presenting Officer appearing for the respondent authorities.

6. It is the grievance of the applicant that the M.P.S.C. is not extending the benefit meant for the candidates falling

in the category of Orphan based on some earlier Government Resolutions and Circulars. The applicant has obtained the certificate of being Orphan from the competent authority and same is placed on record. As per G.R. dated 23.8.2021 the definition of Orphan is extended to the children, who have lost their parents but they were brought up and looked over by relatives and they are also included in the definition of Orphan. The aforesaid G.R. is made applicable for all the recruitment processes carried out after 2.4.2018 of which final results are not published. As has been pointed out by the learned counsel for the applicant the result of the main examination in the instant matter has been declared on 27.3.2022 i.e. after 2.4.2018, and as such, the benefit given for the candidates falling in the category of Orphan is liable to be extended to the present applicant. The factual aspects are not disputed by the learned Presenting Officer. According to us, the applicant who was not covered under category of Orphan as per earlier G.R. is now in possession of a valid Orphan certificate category (b), issued by competent authority under G.R. dated 23.8.2021, therefore, the request made by the applicant in the present application deserves to be allowed. In the circumstances, the following order is passed :-

ORDER

- (i) The respondent no. 3 i.e. the M.P.S.C. shall grant the benefit of the reservation meant for Orphan category to the present applicant having regard to the Government Resolution dated 23.8.2021, if the applicant is fulfilling the other requirements.

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O.A. NO. 553/2021

(ii) The Original Application thus stands allowed without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 2.5.2022

T.A. 11/1999 (W.P. 3251/1993)
T.A. 12/1999 (W.P. 653/1994)
T.A. 19/1999 (W.P. 2311/1994)
T.A. 26/1999 (W.P. 2772/1993)
T.A. 47/1999 (W.P. 776/1993)
T.A. 07/1999 (W.P. 3765/1997)
T.A. 06/2006 (W.P. 4261/1995)
T.A. 36/2002 (W.P. 3007/1991)
M.A. 311/2008 in T.A. 42/1999 (W.P. 1274/1991)
T.A. 01/2005 (W.P. 812/1993)
T.A. 17/1999 (W.P. 2791/1994)
T.A. 35/1998 (W.P. 296/1998)
M.A. 312/2008 in T.A. 35/1999 (W.P. 1259/1991)
T.A. 10/1999 (W.P. 5254/1995)
T.A. 22/1999 (W.P. 3344/1997)
M.A. 367/2008 in T.A. 25/1999 (W.P. 3569/1993)
M.A. 309/2008 in T.A. 24/1999 (W.P. 3607/1993)
M.A. 306/2008 in T.A. 36/1999 (W.P. 652/1994)
T.A. 28/1999 (W.P. 1253/1991)
T.A. 30/1999 (W.P. 617/1994)
T.A. 33/1999 (W.P. 3796/1997)
T.A. 34/1999 (W.P. 3620/1997)
T.A. 37/1999 (W.P. 1382/1994)
T.A. 14/1999 (W.P. 3770/1997)
T.A. 16/1999 (W.P. 1226/1991)
T.A. 09/1999 (W.P. 3345/1997)
T.A. 13/1999 (W.P. 777/1995)
T.A. 20/1999 (W.P. 882/1991)
T.A. 38/1999 (W.P. 329/1992)

(Marathwada Serva Shramik Sanghatana through its Joint
Secretary M.S. Sonwane & Ors. V/s. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
AND**

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 02.05.2022

ORAL ORDER :

Shri A.R.Luke, learned counsel holding for Shri A.S.
Shelke, learned counsel for the applicants (**present**).
S/Shri S.R. Barlinge, Subhash Mundhe & B.B. Yenge,

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learned counsel for the respective applicants in respective matters, **are absent**.

Shri Goverdhan Ganoji, party in person in T.A. No. 6/06 (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all the cases, is present.

Shri Vivek Bhavthankar, learned counsel for respondent Nos. 2 & 3 in T.A. No. 11/1999 (W.P.No. 3251/1993) (**absent**).

2. Learned Chief Presenting Officer has sought time. Time granted by way of last chance.

3. S.O. to 17-06-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.678/2021
(Suresh Tandale Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri B.R.Kedar, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 21-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

**M.A.NO.229/2019 IN O.A.ST.NO.851/2019
(Namdeo Bawiskar Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri B.G.Lathe, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 27-06-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.157/2020 IN O.A.NO.850/2019
(Shrikant Mudilwar Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri K.G.Kamble, learned Advocate for the applicant
and Shri M.P.Gude, learned Presenting Officer for the
respondents, are present.

2. S.O. to 27-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

**ORIGINAL APPLICATION NO.355/2020
(Chandana Kokani Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri S.G.Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned Advocate for the applicant, S.O. to 13-07-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.29/2021
(Vijay Knawane Vs. State of Maharashtra & Ors.)

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

DATE : 02.05.2022

ORAL ORDER :

Shri S.S.Dambe, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both sides, S.O. to 15-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

**ORIGINAL APPLICATION NO.124/2021
(Kiran Kamle Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 22-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

**ORIGINAL APPLICATION NO.125/2021
(Shrikant Desale Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 22-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

**ORIGINAL APPLICATION NO.155/2021
(Chhotu S. Choudhari Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 22-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO.154/2021
(Surendra H. Gandam Vs. State of Maharashtra & Ors.)

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

DATE : 02.05.2022

ORAL ORDER :

Shri Satish Chitgopekar, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 05-05-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO.231/2021
(Sushilkumar Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 02.05.2022

ORAL ORDER :

Shri S.B.Solanke, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O. to 21-06-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.518/2021
(Asmita Kekan & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.S.Thombre, learned Advocate for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Counsel for the applicant tendered across the bar bunch of documents containing information/noting under the provisions of Right to Information Act. Same are taken on record.

3. Matter is extensively heard. Reserved for order.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.48/2022, 49/2022,
50/2022, 51/2022 and 52/2022
(Sahas Vasave & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri T.M.Venjane, learned Advocate for the applicants
and Shri M.S.Mahajan, learned Chief Presenting Officer for
the respondents, are present.

2. At the request of learned Chief Presenting Officer,
S.O. to 21-06-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.01/2015, 626/2015,
627/2015 & 08/2017
(Dr. Balaji Phalke & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri J.S.Deshmukh, learned Advocate for applicants in O.A.01/15 and holding for Shri Milind Patil, learned Advocate for applicants in O.A.626/15 & 627/15 and Shri P.P.Dama learned Advocate for the applicant in O.A.08/17, and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. S.O. to 13-07-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.314/2016
(Mohd Majeed Mohd Faku Vs. State of Maharashtra & Ors.)

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

DATE : 02.05.2022

ORAL ORDER :

Shri S.D.Joshi, learned Advocate for the applicant
and Smt. Sanjivani Ghate, learned Presenting Officer for
the respondents, are present.

2. S.O. to 13-07-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

**ORIGINAL APPLICATION NO.319/2016
(Shivaji Kokate Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri P.S.Dighe, learned Advocate for the applicant is **absent**. Shri S.K.Shirse, learned Presenting Officer for the respondents is present.

2. S.O. to 14-07-2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.575/2016
(Aniket Munde Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant,
Shri N.U.Yadav, learned Presenting Officer for the
respondent authorities and Shri Amit Savale, learned
Advocate for respondent no.4, are present.

2. S.O. to 15-06-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.292/2018
(Bhavana Thakare Vs. State of Maharashtra & Ors.)

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

DATE : 02.05.2022

ORAL ORDER :

Shri S.D.Dhongde, learned Advocate for the applicant
and Shri M.P.Gude, learned Presenting Officer for the
respondents, are present.

2. S.O. to 14-07-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO.341/2019
(Komal Rathod & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 02.05.2022

ORAL ORDER :

Shri A.M.Nagarkar, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 10-06-2022. **High on Board.**

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

**ORIGINAL APPLICATION NO.389/2018
(Govind Khatgaye Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

Shri S.S.Patankar, learned Advocate for the applicant is **absent**. Shri D.R.Patil, learned Presenting Officer for the respondents is present.

2. S.O. to 10-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

**ORIGINAL APPLICATION NO.702/2018 WITH CAVEAT
NO. 64 TO 70/2020
(Dashrat Bure & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

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

Shri R.N.Bharaswadkar, learned Advocate for Caveators is **absent**.

2. S.O. to 10-06-2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO.371/2021 IN O.A.NO.415/2019
(Rajendra Jagdale Vs. State of Maharashtra & Ors.)**

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

DATE : 02.05.2022

ORAL ORDER :

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

2. S.O. to 15-06-2022.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 479 OF 2019
(Khobraji L. Bele Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri N.R. Thorat, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 29.06.2022 for filing rejoinder affidavit.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 989 OF 2019
(Raviraj R. Darak Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate holding for Vivek Bhavthankar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.06.2022 for filing rejoinder affidavit.

MEMBER (J)

ORIGINAL APPLICATION NO. 984 OF 2019
(Dr. Prithviraj K. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. Learned Presenting Officer seeks one more last chance for filing affidavit in reply on behalf of respondents.
3. Record shows that already final chance was granted for filing affidavit in reply.
4. Learned Advocate for the applicant submits that the applicant received provisional pension initially only for six months i.e. from 01.08.2018. Since then the applicant is not getting even provisional pension.
5. Learned Presenting Officer to take note of the submissions and grievance made on behalf of the applicant and to keep the updated position on the next date hearing.
6. In these circumstances, one more last chance is granted to the respondents for filing affidavit in reply.
7. S.O. to 29.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 1070 OF 2019
(Suryabhan B. Nagre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent No. 1 & 2 and Shri U.S. Mote, learned Advocate for respondent No. 3.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent Nos. 1 and 2.

3. S.O. to 29.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 08 OF 2020
(Arvind M. Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri G.N. Kulkarni, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed on behalf of respondent No. 1.
3. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy thereof has been served on the other side.
4. Learned Presenting Officer submits that the affidavit in reply of respondent Nos. 3 & 4 would not be necessary.
5. S.O. to 29.06.2022 for filing rejoinder affidavit.

MEMBER (J)

ORIGINAL APPLICATION NO. 348 OF 2021
(Balaji M. Ghulekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 13.06.2022 for filing service affidavit.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 381 OF 2021
(Swapnil S. Shimpi & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri P.S. Gaikwad, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30.06.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 461 OF 2021
(Dr. Madhav B. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 23.06.2022.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 509 OF 2021
(Dr. Ramling C. Mahajan & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri A.B. Girase, learned Advocate for the applicants (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. As none present for the applicants, S.O. to 30.06.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 513 OF 2021
(Manik G. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that during the course of the day rejoinder affidavit would be filed.
3. S.O. to 30.06.2022 for admission.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 677 OF 2021
(Bharatlal B. Navgire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant filed rejoinder affidavit to the affidavit in reply filed on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 30.06.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 723 OF 2021
(Amol V. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 23.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 729 OF 2021
(Ramdas L. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Dr. Kalpalata Patil-Bharaswadkar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents.
3. S.O. to 10.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 11 OF 2021
(Sahebrao D. Wankhede Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 30.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 526 OF 2021
(Vilas M. Joshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1, 3 to 5. Shri S.C. Swami, learned Advocate for respondent No. 2, **absent**.

2. At the request of learned Advocate for the applicant, S.O. to 29.06.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 26 OF 2021
(Dr. Eknath D. Male Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 23.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 55 OF 2022
(Yogesh L. Shirsath Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 28.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 114 OF 2022
(Dr. Bhausahab S. Randhe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 28.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 217 OF 2022
(Ahmed Raza Sadique Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Smt. A.N. Ansari, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Chief Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

3. S.O. to 28.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 218 OF 2022
(Vinod G. Mahire Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.A. Kulkarni, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that during the course of the day he will file service affidavit.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

4. S.O. to 29.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 219 OF 2022
(Dattu G. Tarate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri S.N. Lute, learned Advocate for the applicant
(**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate,
learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 29.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 224 OF 2022
(Jayprakash B. Sonawane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that the respondents are duly served with notices, but service affidavit is not file. He submits that on or before the next day of hearing he will file service affidavit.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

4. S.O. to 23.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 294 OF 2022
(Ganpat K. Sidam Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during the course of the day he will file service affidavit.
3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.
4. S.O. to 27.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 298 OF 2022
(Baban G. Tadvi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri Swaraj Tandale, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent Nos. 1 and 2.

2. Learned Advocate Shri Saket Joshi, appeared on behalf of respondent No. 3 and submits that he will file **VAKALATNAMA** on behalf of respondent No. 3 on the next day of hearing.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 and 2.

3. S.O. to 27.06.2022.

MEMBER (J)

**M.A. 591/2019 with M.A. St. 2308/2019 in M.A. 308/2018 in O.A. St. No. 1257/2018
(Bapurao D. Pattewale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant placed on record a copy of medical report. Same is taken on record and marked as document 'X' for the purpose of identification.

3. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents in M.A.

4. S.O. to 28.06.2022.

MEMBER (J)

M.A. No. 71/2020 in O.A. St. No. 2465/2019
(Sujata R. Puri Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri D.R. Jayabhar, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents in M.A.
3. S.O. to 28.06.2022.

MEMBER (J)

M.A. No. 111/2020 in O.A. St. No. 1964/2019
(Madhav B. Marde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 5. Shri G.N. Kulkarni, learned Advocate for respondent No. 6, **(Leave Note)**.

2. Learned Advocate for the applicant submits that the applicants do not wish to file rejoinder affidavit in M.A.

3. S.O. to 07.06.2022 for hearing.

MEMBER (J)

**M.A. No. 176/2020 in O.A. St. No. 2388/2019
(Ravindra R. Joshi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri P.V. Suryawanshi, learned Advocate holding for Shri A.P. Yenegure, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit in M.A.

3. S.O. to 30.06.2022 for hearing.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

**M.A. No. 420/2021 in O.A. St. No. 1163/2019
(Khandu G. Joshi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 30.06.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 306 OF 2021
(Suwarna S. Bedre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer seeks time for depositing the amount of costs. Time granted.

4. S.O. to 17.06.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

Review 01/2021 in O.A. No. 21/2021
(Laxman B. Choudhari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 27.06.2022.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 305 OF 2022
(Jagdish N. Yengupatla Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.N. Pagare, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants that the applicant is intending to challenge the concerned G.R. dated 21.09.2017 to the extent of clause No. 4. In view of the same, he seeks permission to withdraw the present Original Application with liberty to file O.A. a fresh on same cause of action before the appropriate forum.

3. In the facts and circumstances, liberty is granted to withdraw the present Original Application. Hence, the O.A. stands disposed of as withdrawn with liberty to the applicant to file O.A. afresh on same cause of action before the appropriate forum. There shall be no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 389 OF 2022
(Hiraman P. Avhad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 28.06.2022.
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 28.06.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 399 OF 2022
(Gopal G. Tawshikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri C.V. Thombre, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 29.06.2022.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 400 OF 2022
(Rohit G. Ubale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri V.C. Suradkar, learned Advocate for the applicant (**Absent**). Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 29.06.2022.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 543 OF 2020
(Gaurav C. Randive Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri J.B. Choudhari, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 01.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

ORIGINAL APPLICATION NO. 199 OF 2021
(Ravindra N. Kshirsagar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri G.A. Borde, learned Advocate holding for Shri G.J. Pahilwan, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 30.06.2022 for filing rejoinder affidavit.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

**M.A. No. 232/2020 in O.A. St. No. 321/2020
(Bismilla D. Tadvi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 30.06.2022 for hearing.

MEMBER (J)

KPB ORAL ORDERS 02.05.2022

**ORIGINAL APPLICATION NO. 112 OF 2022
(Bharat D. Raut Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Ms. Pradnya Talekar, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present matter is to be treated as part heard.
3. By consent of both the sides, S.O. to 05.05.2022.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO.776 OF 2021
(Rajnikant R. Durge @ Rajnikant E. Mortate Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant, is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 28.06.2022.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**ORIGINAL APPLICATION ST.NO.78 OF 2022
(Ashru M. Kaldate Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri V.M. Humbe, 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 01.07.2022 for taking necessary steps in respect of office objection.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION ST.NO.713 OF 2022
(Dnyanoba S. Kokate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.B. Solnake, learned Advocate holding for Shri Amol R. Gaikwad, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 01.07.2022.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION ST.NO.714 OF 2022
(Janardhan N. Kedare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.B. Solnake, learned Advocate holding for Shri Amol R. Gaikwad, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 01.07.2022.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION ST.NO.712 OF 2022
(Murlidhar G. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.B. Solnake, learned Advocate holding for Shri Amol R. Gaikwad, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 01.07.2022.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.309 OF 2020
(Chandrakant Y. Bansode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri Madhur A. Golegaonkar, learned Advocate for the applicant, is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 01.07.2022 for admission.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**M.A.NO.276 OF 2019 IN O.A.ST.NO.871 OF 2019
(Rakesh T. Patil Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Shri S.N. Suryawanshi, learned Advocate for the applicant, is **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 01.07.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**M.A.NO.551 OF 2019 IN O.A.ST.NO.2227 OF 2019
(Mohamad Siddiqui Mohammad Sarwar Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri Girish N. Kulkarni, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present Misc. Application is closed for order.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**M.A.NO.96 OF 2020 IN O.A.ST.NO.239 OF 2020
(Kailas R. Walekar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The present Misc. Application is closed for order.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**M.A.NO.105 OF 2022 WITH O.A.NO.836 OF 2021
(Rahul R. Rathod Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri V.N. Shelke, learned Advocate holding for Shri Shri N.R. Bhavar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks permission to withdraw the Original Application and Misc. Application seeking liberty to file Original Application afresh on the same cause of action as there is some defect in the Original Application.

3. Learned P.O. for the respondents submits that necessary order may be passed.

4. In the circumstances as above, Original Application along with Misc. Application stand disposed of with liberty to file Original Application afresh on the same cause of action.

MEMBER (J)

ORIGINAL APPLICATION NO.812 OF 2018
(Bhagwant P. Kapale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., S.O. to 10.06.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**ORIGINAL APPLICATION NO.506 OF 2021
(Ranjana A. Barde Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., S.O. to 04.05.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.116 OF 2017
(Dr. Dhanraj W. Kendre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri Vijay V. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O to 04.07.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.200 OF 2018
(Dinkar G. Shahane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submitted that during pendency of this application, the previous advocate of the applicant has died. There are certain infirmities in respect of documents.

3. In view of above, learned Advocate for the applicant seeks permission to file short affidavit along with necessary documents.

4. By consent of both the sides, S.O. to 01.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.338 OF 2019
(Chandrabha B. Thorat Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri Omprakash D. Mane, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. During the course of arguments it transpires that the applicant is challenging the recovery of penal rent started from monthly salary of the applicant from December, 2016. However, the Original Application is filed only showing impugned order dated 29.03.2019 (Annex. 'D'). The Original Applicant is filed on 09.04.2019. Prima facie it appears that when the applicant is challenging the recovery of amount from the monthly salary of the applicant from December, 2016, the said prayer is beyond the limitation. The applicant to meet the aspect of limitation.

3. By consent of both the sides, S.O. to 04.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.457 OF 2019
(Ashish G. Vaishnav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri Manoj M. kadtu, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Affidavit-in-rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. By consent of both the sides, S.O. to 04.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.721 OF 2019
(Bhagwan W. Landge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that memorandum of charges is not served upon the applicant though it is contended on behalf of the respondents that the departmental enquiry is pending against the applicant.
3. Learned P.O. to take note of it and make submission in accordance with law by the next date.
4. Learned Advocate for the applicant can appropriately respond to the short affidavit filed on behalf of the respondent No.2.
5. S.O. to 14.06.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.897 OF 2019
(Dr. Uttam K. Ambre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 20.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.210 OF 2020
(Suresh B. Hallikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 22.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.350 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 06.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.351 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 06.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.352 OF 2020
(Ramraje G. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 06.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.109 OF 2021
(Ashok D. Shradkar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Smt. Deepali S. Deshpade, learned Presenting Officer for the respondents.

2. Affidavit-in-sur-rejoinder filed on behalf of the respondent No.3 is taken on record and copy thereof has been served on the other side.

3. By consent of both the sides, S.O. to 29.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**ORIGINAL APPLICATION NO.144 OF 2021
(Vithal T. Jadhav Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 17.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**ORIGINAL APPLICATION NO.186 OF 2021
(Namdeo A. Fad Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 22.06.2022 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.317 OF 2021
(Vishwanbhar V. Tidke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri S.R. Sapkal, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 23.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

ORIGINAL APPLICATION NO.465 OF 2021
(Azad Khadarshabe Patle Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri B.S. Deshmukh, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos.1 & 2 and Smt. Amruta Pansare, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the respondent Nos.3 to 6.

2. By consent of all the parties, S.O. to 28.06.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 02.5.2022

**M.A.NO.187 OF 2022 WITH O.A.NO.359 OF 2022
(Balaji R. Baralwad Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri N.J. Patil, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The Original Application is filed challenging the impugned suspension order of the applicant dated 13.04.2022 (Annex. 'B' in O.A.). Subsequently, the Misc. Application No.187/2022 is filed seeking amendment in the O.A. to the effect that during pendency of the Original Application the applicant preferred departmental appeal against the order of suspension on 21.04.2022 before the respondent No.3.

3. It is the grievance of the applicant that the impugned suspension order of the applicant suffers from illegality as the same is not issued in accordance with law and more particularly by issuing show cause notice.

4. Learned Advocate for the applicant, however, failed to point out any provision of law or case law for that matter to support the submission that show

//2//

M.A.187/2022

WITH

O.A.359/2022

cause notice before issuance of suspension order is mandatory.

5. In the circumstances as above, it is evident that the applicant has preferred departmental appeal and the same is pending. The impugned order of suspension is dated 13.04.2022. Hardly 18 days have passed. The applicant has already availed the appropriate available remedy which cannot be said to have been exhausted.

6. In the circumstances as above, the Original Application and Misc. Application stand disposed of.

7. The respondent No.3 is directed to consider and decide the departmental appeal preferred by the applicant dated 21.04.2022 at the earliest. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO.29 OF 2022
(Dr. Ravindra Kishanrao Deshmukh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 02.05.2022

ORAL ORDER :

Heard Shri V.B. Dhage, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent Nos.1 to 3 and Shri P.B. Salunke, learned Advocate holding for Shri Vivek Bhavthankar, learned Advocate for the respondent No.4.

2. At the request of the learned P.O., last chance is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3.

3. S.O. to 29.06.2022.

MEMBER (J)

**M.A.364/19 IN C.P. 43/18 IN O.A. 838/15, O.A. 122/18
& O.A. 558/18
(Ramdas T. Patil. Vs. State of Maharashtra & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. By consent of both the parties, S.O. to 10.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

ORIGINAL APPLICATION NO. 941 OF 2019
(Dr. Shukracharya G. Dudhal Vs. State of Maha. & Ors.)

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

DATE : **2.5.2022**

ORAL ORDER :

Heard Shri A.U. Aute, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Arguments are heard. Reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**M.A.ST.NO. 355/2022 IN O.A.ST.NO. 356/2022
(Mayur G. Kalyankar & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri Sanjay Kolhare, learned counsel for the applicants has filed leave note. Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. In view of leave note filed by learned counsel for the applicants, S.O. to 9.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**ORIGINAL APPLICATION NO. 189 OF 2022
(Sangita D. Mundage Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

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

2. On the previous date i.e. on 12.4.2022 none has caused appearance for the applicant. Previous to the said date i.e. on 24.3.2022 also no one has caused appearance for the applicant. It seems that the applicant has lost interest in prosecuting the matter further. Hence, the following order: -

ORDER

The present O.A. stands dismissed for want of prosecution. No order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 122 OF 2012
(Jalindhar K. Rathod Vs. State of Maha. & Ors.)

WITH

ORIGINAL APPLICATION NO. 123 OF 2012
(Datta K. Darade Vs. State of Maha. & Ors.)

WITH

T.A.NO. 2/2012 (W.P.NO. 9902/2011)
(Radha N. Choure Vs. State of Maha. & Ors.)

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

DATE : **2.5.2022**

ORAL ORDER :

Shri S.S. Jadhavar, counsel for the applicants in O.A. Nos. 122 & 123 both of 2012 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these cases and Shri A.M. Nagarkar, learned counsel for respondent No. 3 in O.A. No. 123/2012, are present.

Shri A.L. Tikle, learned counsel for the applicant in T.A. No. 2/2012 (W.P.NO. 9902/2011), **absent**.

2. S.O. to 4.5.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**ORIGINAL APPLICATION NO. 408 OF 2021
(Urmila M. Gaikwad Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Ms. Amruta Pansare, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

ORIGINAL APPLICATION NO. 37 OF 2017
(Balasaheb N. Raut & Ors. Vs. State of Maha. & Ors.)

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

DATE : **2.5.2022**

ORAL ORDER :

Heard Shri S.S. Dambe, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Arguments are heard. Reserved for orders.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**ORIGINAL APPLICATION NO. 42 OF 2018
(Tukaram P. Bondre Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. Since nobody appears for the applicant, S.O. to 9.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

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

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

DATE : 2.5.2022

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants 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 17.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**ORIGINAL APPLICATION NO. 391 OF 2022
(Akash Gorakh Garje Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Heard Shri M.S. Karad, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 1.7.2022.
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 1.7.2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 185/2022 IN O.A.ST.NO. 648/2022
(Ravi Namdeo Khade & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Heard Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 648 OF 2022
(Ravi Namdeo Khade & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Heard Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 1.7.2022.

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 1.7.2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 186/2022 IN O.A.ST.NO. 650/2022
(Ramesh S. Ghubade & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Heard Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 650 OF 2022
(Ramesh S. Ghubade & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Heard Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 1.7.2022.

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 1.7.2022.

MEMBER (A)

VICE CHAIRMAN

C.P.19/2020 IN O.A.NO. 704/2017
(Asman D. Garje & Ors. Vs. State of Maha. & Ors.)

WITH

C.P.27/2020 IN O.A.NO. 749/2017
(Mohammad Abdul Hai Mohammad Abdul Gani & Ors. Vs. State of Maha. & Ors.)

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

DATE : **2.5.2022**

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for the applicants and S/Shri M.P. Gude & S.K. Shirse, learned Presenting Officers for the respective respondents in respective cases, are present.

2. S.O. to 5.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**ORIGINAL APPLICATION NO. 213 OF 2020
(Aprva S. Narale Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri Sandeep Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 6.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**ORIGINAL APPLICATION NO. 467 OF 2020
(Krishna T. Wagh & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri Sandeep G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 6.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**ORIGINAL APPLICATION NO. 156 OF 2022
(Dr. Megha D. Deshmukh Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Await service.
3. S.O. to 12.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**ORIGINAL APPLICATION NO. 293 OF 2022
(Dr. Megha D. Deshmukh Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Ms. Amruta Pansare, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 12.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

**M.A.NO. 273/2021 IN O.A.ST.NO. 987/2021
(Prakash N. Phulluke Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

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

2. S.O. to 13.7.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 2.5.2022-HDD

ORIGINAL APPLICATION NO. 58 OF 2020
(Ritesh R. Kaware & Ors. Vs. State of Maha. & Ors.)

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

DATE : **2.5.2022**

ORAL ORDER :

Heard Shri R.K. Ashtekar, learned counsel for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for respondent No. 4.

2. Upon hearing the applicant, the learned P.O. and learned counsel for respondent No. 4, following contentious issues have emerged –

(i) Whether the applicants' contention that office of Collector had directed not to appear in exam held in the year 2013 has any impact on counting number of years and chances availed by the applicants under rules relating to sub-service Departmental Examination.

(ii) Whether the applicants can be declared to have passed Sub-service Departmental Examination within 4 years and 3 attempts taking into account precedence of order passed by this Tribunal in O.A.

decided earlier and their seniority can be restored to date of appointment in the cadre.

(iii) In case, the impugned seniority order is quashed and set aside, then whether any promotion granted based on such seniority list will withstand or will become void.

(iv) What is the effect on the matter under adjudication in the present O.A. of G.Rs. issued by the General Administration Department bearing No. विपथो-२६२०/प्र.क. १६/का.१७, Mantralaya, Mumbai dated 31.03.2021?

Matter was part heard.

3. Arguments are heard. Reserved for orders.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 349 OF 2021
(Anil C. Hugge & Anr. Vs. State of Maha. & Ors.)**

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

DATE : 2.5.2022

ORAL ORDER :

Heard Shri R.K. Ashtekar, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants has tendered across the bar written notes of argument and the same is taken on record.

3. Upon hearing the applicant, the learned P.O. and learned counsel for respondent No. 4, following contentious issues have emerged –

(i) Whether the applicants' contention that office of Collector had directed not to appear in exam held in the year 2013 has any impact on counting number of years and chances availed by the applicants under rules relating to sub-service Departmental Examination.

(ii) Whether the applicants can be declared to have passed Sub-service Departmental Examination within

4 years and 3 attempts taking into account precedence of order passed by this Tribunal in O.A. decided earlier and their seniority can be restored to date of appointment in the cadre.

(iii) In case, the impugned seniority order is quashed and set aside, then whether any promotion granted based on such seniority list will withstand or will become void.

(iv) What is the effect on the matter under adjudication in the present O.A. of G.Rs. issued by the General Administration Department bearing No. विपथो-२६२०/प्र.क. १६/का.१७, Mantralaya, Mumbai dated 31.03.2021?

Matter was part heard.

4. S.O. to 13.7.2022 for further consideration.

MEMBER (A)

VICE CHAIRMAN