

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

BENCH AT AURANGABAD

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - THE HON'BLE JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN

And

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

Date:- 02/02/2024

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matters						
1	OA1021/22	Jalna	Adv.C V Dharurkar (Madhav K Khairge)	Departmental Enquiry	09.02.2024	
2	OAS1910/22	Jalna	Adv.C V Dharurkar/ Adv. Vinaya Muley (Shamrao A Gite)	Departmental Enquiry	09.02.2024	
3	OA24/23	Jalgaon	Adv.C V Dharurkar (Ashok O Mahajan)	Departmental Enquiry	09.02.2024	
4	OA105/21	A'bad	Adv.C V Dharurkar (Smita K Suryawanshi & Ors.) <u>Adv.Avinash Deshmukh For R.Nos.3 to 7</u>	Seniority	05.02.2024	
5	OA891/18	A'bad	Adv.Party In Person (Dr.Uddhav S Khaire)	Challenging G.R.	Disposed of	
6	OA168/22	Beed (Pune)	Adv.J.J. Patil (Shirish R Yadav) <u>Adv.S.S. Chapalgaonkar for R.No.3</u>	Charge Sheet/ Departmental Enquiry	06.02.2024	

Order Matters						
7	MA16/22 In OAS1505/21	A'nagar	Adv.V B Wagh (Ramesh R Kulthe)	M.A. For Condonation of Delay	07.03.2024	
8	MA38/23 In OA861/22	A'bad	Adv.K B Jadhav (Shobha R Tak)	M.A. For I.R.	13.02.2024	
9	MA577/23 In OA854/23	A'bad	Adv. Rameez M Shaikh (Shaikh Danish Abdul Rafat)	M.A. For Amendment	16.02.2024	
Due Admission Matters						
10	CP30/19 In OA526/11	A'bad	Adv.Avinash S Deshmukh (Mohd. Azizullah Khan since died through his widow Smt. Qusiya Shameen M.A. Khan)	Contmept Petition	07.02.2024	
11	CP16/20 In OA886/18 With	Nanded	Adv.G N Kulkarni (Baliram D Waghmare)	Contempt Petition	01.03.2024	
12	CP17/20 In OA883/18	Nanded	Adv.G N Kulkarni (Sawairam D Rathod)	Contempt Petition	01.03.2024	
13	OA132/16	Nanded	Adv.S B Mene (Mandabai G Thakur)	Termination	22.02.2024	
14	OA192/16	Nanded	Adv.M A Golegaonkar/ Adv.A S Golegaonkar (Maroti S Koli)	Seniority	22.02.2024	
15	OA32/18	Beed	Adv.J S Deshmukh (Shahadeo S Bangar)	Revision of Pay Scale	23.02.2024	

16	OA592/18	J'gaon	Adv.A S Golegaonkar/ Adv. M A Golegaonkar (Nilesh B Pardeshi) <u>Adv.R S Patil for R.No.3</u>	Selection/ Appointment	23.02.2024	
17	OA182/19	A'nagar	Adv.V B Wagh (Dr. Devidas L Lavhate died through his LRs Reshma D Lavhate)	Age Relaxation/ Selection Process	26.02.2024	
18	OA934/19	A'bad	Adv.A S Deshmukh (Madhukar K Shingade)	Promotion	01.03.2024	
19	OA183/20	Dhule	Adv.Suresh D Dhongde Adv.S D Dhongde has Filed Leave Note 02.01.2024 to 02.02.2024 (Rajendra G Sonawane)	Departmental Enquiry	18.03.2024	
20	OA213/20	J'gaon	Adv.Ajay S Deshpande (Apurva S Narale)	Appointment	04.03.2024	
21	OA275/21 with	Jalna	Adv.D B Bhange (Parmeshwar P Pawar)	Selection/ Appointment	15.03.2024	
22	OA276/21	A'nagar	Adv.D B Bhange (Akshay V Thorat)	Selection/ Appointment	15.03.2024	
23	OA397/21	A'bad	Adv.Avinash S Deshmukh (Abhijeet M Bhise & Ors.)	Appointment / Absorption	07.02.2024	
24	OA485/21	Beed	Adv.S D Tambat- Dhumal/ Adv.M G Deokate (Amol J Kale) <u>Adv.Sanjay Wakure for R.No.5 Adv.D A Madke/Adv.A B Chalalk for R.No.6</u>	Selection List/ Selection Process	23.02.2024	

25	OA682/21 with	A'bad	Adv.Sudhir Patil/ Adv.Dr. Kalpalata Patil Bharaswadkar (Ashok K Mehetre)	Notional Pormotion/ Promotional Pay Scale	23.02.2024	
26	OA683/21	A'bad	Adv.Sudhir Patil/ Adv.Dr. Kalpalata Patil Bharaswadkar (Dhanaji A Ugale)	Notional Pormotion/ Promotional Pay Scale	23.02.2024	
27	OA716/21 With	Hingoli	Adv.Suchita A Dhongde Adv.Suchita A Dhongde has Filed Leave Note From 01.02.2024 to 10.02.2024 (Navin J Sharma)	Reversion	18.03.2024	
28	OA717/21 With	Hingoli	Adv.Suchita A Dhongde (Meena V Shinde)	Reversion	18.03.2024	
29	OA718/21 With	Hingoli	Adv.Suchita A Dhongde (Gajanan B Aundhekar)	Reversion	18.03.2024	
30	OA719/21	Hingoli	Adv.Suchita A Dhongde (Khanderao N Pote)	Reversion	18.03.2024	
31	OA373/22	N'bar	Adv.D S Mutalik (Dr. Vandana P Sonone)	Exemption From Examintation	22.02.2024	
32	OA899/22	Latur	Adv.R K Ashtekar (Hansraj R Jadhav)	Seniority/ Promotion	13.02.2024	
33	OA900/22	Latur	Adv.R K Ashtekar (Navneet C Jamnik)	Seniority/ Promotion	13.02.2024	

34	OA901/22	Latur	Adv.R K Ashtekar (Madhav V Joshi)	Seniority/ Promotion	13.02.2024	
35	OA387/23	N'bar	Adv.V B Wagh (Sachin M Landge)	Show Cause Notice/ Reversion	12.02.2024	
36	OA678/23	A'bad	Adv.Ashish Rajkar/ Adv.A S Kulkarni (Dilip R Shinde)	Major Punishment	04.03.2024	
Final Hearing Matters						
37	OA624/13	P'bhani	Adv.M C Ghode (Yogesh P Ghuge & Ors.)	Post of Civil Engineer	23.02.2024	
38	OA312/15	A'nagar	Adv.S B Talekar (Dr.Shiwani V Sachdeva) <u>Adv.A S Deshmukh</u> <u>for R.No.4</u> <u>Adv.V B Wagh for</u> <u>R.No.5</u> <u>Adv.R P Adgaonkar</u> <u>for R.No.6</u>	Selection/ Appoiantmen t	23.02.2024	
39	OA499/15	Nanded	Adv.Avinash Deshmukh (Dr.Maroti D Dake)	Appointment	23.02.2024	
40	OA845/17	A'nagar	Adv.K B Jadhav (Rambhau L Kuskar)	Promotion/ Deem Date/ Protection of Pay Scale	01.03.2024	
41	OA695/18	A'bad	Adv.Avinash S Deshmukh (Prakash B Phule)	Dismissal	28.02.2024	
42	OA805/18 With	A'bad	Adv.N R Thorat (Nagorao V Karbhari) <u>Adv.R N</u> <u>Bharaswadkar for</u> <u>R.No.4, 5 & 7</u>	Promotion	28.02.2024	

43	OA806/18	A'bad	Adv.N R Thorat (Zumber K Sonawane) <u>Adv.Ajay Deshpande</u> <u>for R.No.4</u>	Promotion	28.02.2024	
44	OA260/19	Dhule	Adv.C V Dharurkar/ Adv.Tulja Bondarde (Mukund B Jagtap)	Reversion	13.02.2024	

Date: -02/02/2024

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	CP43/22 In OA519/21	Beed	Adv.J.M. Murkute (Usha A Gaikwad & Ors.)	Contempt Petition	22.02.2024	
2	CP66/23 In OA502/22	Nanded	Adv Girish Kulkarni (Mohammad Siddique Mohammad Sarwar)	Contempt Petition	01.03.2024	
3	OA447/21	Latur	Adv C V Dharurkar (Malile A Gangadhar)	Challenging G.R	01.03.2024	
4	OA551/21	Beed	Adv.R.P. Bhumkar (Ram D Anerao & Ors.)	Implementation of G.R.	07.03.2024	
5	OA577/21	Jalna	Adv.R.N. Chavan (Ramdas E Misal) <u>Adv.Vinod M</u> <u>Vibhute for</u> <u>R.No.4</u>	Major Punishment	01.03.2024	

6	OA509/22	A'bad	Adv.Ajay S Deshpande (Groundwater Engineers Association & Ors. Maha. State Through Its President Balasaheb D Patil)	Change In Nomenclatures	16.02.2024	
7	OA833/22	Jalgaon	Adv C V Dharurkar (Sampat L Mallad)	Departmental Enquiry	01.03.2024	
8	OA872/22	A'bad	Adv M A Golegaonkar (Suresh C Nargulla)	Show Cause Notice (Major Punishment)	23.02.2024	
9	OA1050/22	Jalgaon	Adv Vijay B Patil (Jaiprakash B Ramanand) <u>Adv A S</u> <u>Deshmukh For</u> <u>R-6</u>	Selection Process	28.02.2024	
10	OA1062/22	J'gaon	Adv.K.B. Jadhav/ Adv.M.S. Sonawane (Pawan M Pawar)	Eligibility/ Interview	13.03.2024	
11	OA444/23	Nanded	Adv.V.P. Golewar (Ramchandra N Palmate)	Dismissal From Service	07.03.2023	
12	OA502/23	Beed	Adv.S.S.Thombre (Mahesh V Bansode)	Selection Process	26.02.2024	
13	OA661/23	N'bar	Adv A M Hajare (Vijaysing K Wagh)	Departmental Enquiry	11.03.2024	

14	OA785/23	O'bad	Adv M C Swami (Sushant V Tope)	Selection Process	04.03.2024	
15	OA891/23	Latur	Adv.A.S. Khedkar/ Adv.P.R. Karpe (Nagesh A Hippargekar)	Selection Process	04.03.2024	
16	OA910/23	Beed	Adv V P Sawant (Madhukar D Bhandare)	D.E./ Suspension Period/ Pension	28.03.2024	
17	OA926/23	A'bad	Adv J M Wagh (Shrikant G Talegave)	Promotion	05.03.2024	
18	OA928/23 With Caveat No.33/23 With Caveat No. 34/23	A'bad	Adv S D Joshi (Dr. Shashikant T Vagge & Ors.) <u>CPO Mat A'bad</u> <u>For Caveat No.</u> <u>33/23</u> (The State of Maharashtra Through the Director of Technical Education, MS Mumbai) <u>CPO Mat A'bad</u> <u>For Caveat</u> <u>No.34/23</u> (The State of Maharashtra Through the Director of Technical Education, MS Mumbai)	Selection Process	27.02.2024	
19	OA988/23	P'rbn	Adv A S Shelke (Venkatesh V Mundhe)	Selection Process	16.02.2024	
20	OA1000/23	Nanded	Adv.P.G.Rodge (Ramkant J Sonkamble)	Selection Process	11.03.2024	

Order Mattes						
21	MA315/21 In OAS1338/21	Nanded	Adv A S Deshpande (Chadrashekhar S Iyer)	M.A For Condonation of Delay	04.03.2024	
22	MA409/22 In OAS1053/22	Hingoli	Adv.S.V. Suryawanshi (Punjaji M Shinde)	MA for Condonation of delay	11.03.2024	
23	MA410/22 In OAS1052/22	Hingoli	Adv.S.V. Suryawanshi (Uttam T Padme)	MA for Condonation of delay	11.03.2024	
24	MA418/22 In OA640/22	O'bad	Adv S V Deshmukh (Dilipkumar R Patil)	M.A For Condonation of Delay	11.03.2024	
25	MA87/23 In OA259/21	A'bad	Adv C V Dharurkar (Megharani P Tarkase & Ors.) <u>Adv A S</u> <u>Deshmukh For</u> <u>R-4 & R-5 in</u> <u>OA</u>	M.A For Direction	08.02.2024	

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc.beforeHon'ble Single Bench
Before: -THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)

Date: -02/02/2024

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA928/19	Latur	Adv R RKazi/ Adv K B Jadhav (Chandmiyan B Munde)	Kotwal Compassionate Appointment Post of Kotwal- Scheme not Applicable	Await Service	27.02.2024
2	OA43/21	Nanded	AdvSandeep G Kulkarni (Chandramuni T Kamble) <u>AdvShamsunder B Patil</u> <u>For R-2 & R-3</u>	Refixation of Pay/ Recovery	Reply Filed By R-1 to R-3	01.03.2024
3	OA132/21	A'bad	Adv R N Bharaswadkar (Bhanudas E Tarte)	Recovery	Reply Filed By R-1 to R-6	01.03.2024
4	OA593/21	Nanded	Adv S G Kulkarni (Gajanan P Joshi) <u>Adv D T Devane For R-2 & R-3</u>	Pay Scale/ Recovery	Await Service R-4 <u>Ref Order</u> <u>Dtd.</u> <u>09.01.2023</u> & For Filing Affidavit in Reply R-4 & R-5	01.03.2024
5	OA406/22	Nanded	Adv B R Kedar (Pandit K Pawar&Ors.)	Deemed Date of Promotion	For Filing Affidavit in Reply	01.03.2024
6	OA541/22	Beed	Adv A R Gunge (Khiluba B Sarak) <u>Adv P D Surywanshi</u> <u>For R-2,R-5</u>	Pension &Pensionery Benefits	For Filing Affidavit in Reply R-1 R-3 & R-4 <u>Ref Order</u> <u>Dtd.</u> <u>20.10.2022</u>	01.03.2024

7	OA991/22	Nanded	Adv V P Golewar (Shrinivas G Gangthade)	Transfer	For Filing Affidavit in Rejoinder	27.02.2024
8	OA1087/22	Hingoli	Adv A B Rajkar (Dipak S Thorat) <u>Adv S B Mene For R-2 & R-3</u>	Compassionate Appointment <u>Substitution</u>	As a Last Chance For Filing Affidavit in Reply	01.03.2024
9	OA43/23	Nanded	Adv I D Maniyar (ShaikhMahemoodShaikh Hyder)	Family Pension	Reply Filed by R-1 to R-4	01.03.2024
10	OA66/23	A'bad	Adv Avishkar S Shelke (Bhaginath C Malikar)	Regularization	For Filing Affidavit in Reply	16.02.2024
11	OA71/23	A'bad	Adv Amol R Gaikwad (Dattatrya D Sonune)	Minor Punishment	Reply Filed By R-1 to R-3	01.03.2024
12	OA78/23	P'rbn	Adv R L Jakhade/ Adv S A Kulkarni (Mahesh B Kavthale)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	29.02.2024
13	OA199/23	A'bad	Adv V B Wagh (Madhav R More)	Revision of Pension	Reply Filed By R-1 & R-2	01.03.2024
14	OA617/23	A'bad	Adv R N Bharaswadkar (Shubhangi R Bhoge)	Transfer	For Filing Affidavit in Reply R-1, R-2, R-4, & R-5	09.02.2024
15	OA780/23	Latur	Adv S R Kolhare (Radhika M Malode)	Relieve Maternity Leave	For Filing Affidavit in Reply	01.03.2024
16	OA835/23	A'nagar	Adv A D Sugdare (Bhanudas D Avhad)	Pension	For Filing Affidavit in Reply	19.03.2024
17	OA967/23	A'nagar	Adv D T Devane (Dr.Sahil T Khot)	Suspension	For Filing Affidavit in Reply	23.02.2024
18	OA1043/23	Nanded	Adv S S Thombre (Sham H Pawar)	Appointment Compassionate Ground Direction - Correction in Propoal Date	Await Service	04.03.2024

19	OA1050/23	Beed	Adv V B Wagh (Manish M Patil)	Transfer	As a Last Chance For Filing Affidavit in Reply	27.02.2024
20	OA1089/23	Latur	Adv R P Bhumkar (Sachin S Rajmane)	Suspension (Reinstatement)	For Filing Affidavit in Reply	23.02.2024
21	OA1092/23	A'nagar	Adv H U Dhage (Mangal B Gavade&Ors.)	Appointment on Compassionate Ground (Deduct part of Salary) <u>Dispute</u> <u>between Legal</u> <u>Heirs</u>	Await Service	16.02.2024
22	OA1119/23 Caveat No. 40/23	Dhule	Adv Rahul S Pawar (Dr.Milind V Pawar) <u>Adv J B Choudhary</u> <u>For R-5</u>	Transfer	As a Last Chance For Filing Affidavit in Reply	16.02.2024
Order Matters						
23	MA03/24 In OAST1973/23	Beed	AdvSujeet D Joshi (Dr.Shilpa N Kulkarni)	M.A For Condonation of delay	Await Service	21.03.2024

**M.A.NO. 124 OF 2022 IN O.A.ST.NO. 260 OF 2022
(Radhakisan N. Pokharkar & Ors. Vs. State of Maharashtra
& Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Heard Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicants, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri M.S. Mahajan, learned counsel for respondent Nos. 3 & 4.

2. By filing this application the applicants are seeking condonation of delay caused in filing the accompanying Original Application.

3. There is an average delay of 10 years, 05 months and 15 days (3821 days) in filing the accompanying Original Application.

4. There are five employees who are claiming the benefit of G.R. dated 29.09.2003 under the caption of "equal pay for equal work". As per page No. 27 to the memo of the Original Application, the names of some of the applicants mentioned therein, the benefit of the said G.R. given to them on 03.12.2011

//2// M.A. 124/2022 in
O.A.St. 260/2022

Whereas, as per paragraph No. 33 to the memo of the Original Application, the benefit of the said G.R. dated 29.09.2003 came to be given to applicant Nos. 1 & 5 on 16.11.2016.

5. Learned counsel for the applicant submits that in terms of the said G.R. dated 29.09.2003, the Government has taken a decision in respect of 975 employees of the Irrigation Department, 3714 employees of the Public Works Department and 362 employees of the Rural Development and Water Conservation Department in all total 5033 employees for giving them benefit for equal pay for equal work.

6. Learned counsel for the applicant submits that though the names of the applicants are mentioned in the said memo at page Nos. 27 and 33 of the Original Application respectively, they were given the benefit of said G.R. dated 29.09.2003 regarding equal pay for equal work in the year 2011 and 2016 respectively.

7. Learned counsel for the applicant submits that in the year 2011 itself some of the employees of

//3// M.A. 124/2022 in
O.A.St. 260/2022

the Irrigation Department who were entitled for the said benefit have filed the O.A.Nos. 64, 65, 66 and 194 of 2011 before Maharashtra Administrative Tribunal, Bombay Bench at Aurangabad and in paragraph No. 8 of the judgment, the Division Bench of this Tribunal has observed that if the respondents grant benefit of scheme to any of the employee, whose cases are not processed earlier, their salaries should be fixed as on 29.09.2003 and they should be allowed arrears from 29.09.2003 onwards and such employees need not be compelled to approach this Tribunal, even if as on today they are not applicants before us.

8. Learned counsel for the applicants submits that the similar order passed in O.A.No. 818/2009 was challenged by the respondent authorities before the Hon'ble Bombay High Court, Bench at Aurangabad in Writ Petition No. 10069/2010 and the said Writ Petition was dismissed on 25.10.2010 by upholding the order passed by this Tribunal.

9. Learned counsel for the applicants submits that till the date of retirement of the applicants as detailed in paragraph No.1 of the M.A. and till today

//4// M.A. 124/2022 in
O.A.St. 260/2022

neither the respondent authorities have given the benefit of said G.R. to the applicants' suo-moto nor considered the oral request of the applicants in this regard. The applicants therefore constrained to approach this Tribunal by filing the accompanying Original Application for which the delay has been caused. The learned counsel for the applicants submits that it is recurring cause of action as long as the said benefit is not extended to the applicants in terms of the G.R. dated 29.09.2003 and in view of same, the application seeking condonation of delay deserves to be allowed.

10. Learned P.O. and learned counsel appearing for the respondent Nos. 3 & 4 have strongly resisted the application on the ground that there is an inordinate delay in approaching this Tribunal for which no satisfactory explanation has been tendered by the applicants. Learned P.O. and learned counsel for respondent Nos. 3 & 4 submit that the applicant No.1 retired in the year 2022, applicant Nos. 2 & 3 retired in the year 2016 and the other applicants are retired in the year 2019 and 2021 respectively. However, instead of showing different period of

//5// M.A. 124/2022 in
O.A. St. 260/2022

delay, the same delay has been shown in the M.A. seeking condonation of delay. Learned P.O. and learned counsel for the respondent Nos. 3 & 4 submit that the application is misconstrued and the same is liable to be dismissed.

11. All the applicants were working as a Majoor and it is not disputed that they were entitled for the benefit of the higher pay scale under the caption of equal pay for equal work in terms of the G.R. dated 29.09.2003. However, for the reason best known to the respondent authorities, they have been paid the benefits from the year 2011 and onwards till the year 2016 lastly. It further appears from the order passed by this Tribunal from time to time in the cases of similarly situated employees that they are entitled for the benefit and arrears from 29.09.2003 and such employees need not be compelled to approach the Tribunal even though they are not the applicants before the Tribunal. In view of same, I find much substance in the submissions made on behalf of the applicants that there is recurring cause of action as long as the benefits of the said G.R. are not given to the

//6// M.A. 124/2022 in
O.A.St. 260/2022

applicants from the date of G.R. itself. However, I don't think that there is any inaction on the part of the applicant and on the other hand prima-facie inaction on the part of the respondent authorities to extend the benefit of the said G.R. to the eligible employees from the date of G.R. itself as directed in respect of similarly situated employees by this Tribunal.

12. Thus considering the entire facts of the matter, I am inclined to condone the delay. Hence, the following order:-

ORDER

- (i) M.A. No. 124/2022 is allowed.
- (ii) The delay of 10 years, 05 months and 15 days caused in filing the accompanying O.A. is hereby condoned.
- (iii) Accompanying O.A. be registered and numbered in accordance with law.
- (iv) No order as to costs.

MEMBER (J)

**RIGINAL APPLICATION ST.NO. 260 OF 2022
(Dr. Radhakisan N. Pokharkar & Ors. Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Heard Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicants, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri M.S. Mahajan, learned counsel for respondent Nos. 3 & 4.

2. Issue notice to respondents, returnable on 01.04.2024.

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

4. Applicants are 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

//2// O.A.St.260/2022

(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. Applicants are directed to file affidavit of compliance and notice.

7. S.O. to 01.04.2024.

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

MEMBER (J)

ORAL ORDER 02.02.2024 sas

**ORIGINAL APPLICATION NO. 817 OF 2021
(Vilas K. Dhole Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri K.N. Shermale, learned counsel for the applicant, is **absent**. Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. Even on the last occasion also, none remained present for the applicant.

3. In view of same, S.O. to 02.04.2024 for passing order/for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 398 OF 2022
(Yuvraj B. Dhamik Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 26.03.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 155 OF 2023
(Avinash V. Raut Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 26.03.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 348 OF 2023
(Akshay S. Tekur Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri V.B. Kulkarni, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 04.03.2024 for hearing.

MEMBER (J)

ORAL ORDER 02.02.2024 sas

ORIGINAL APPLICATION NO. 425 OF 2023
(Dinesh R. Choudhary Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 27.03.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 480 OF 2023
(Gyanraj P. Kakde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri Gyanraj P. Kakde, party in person is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. Party in person is absent. Even on the last occasion also, party in person remained absent.

3. In view of same, S.O. to 05.04.2024 for passing order/for hearing.

MEMBER (J)

ORAL ORDER 02.02.2024 sas

ORIGINAL APPLICATION NO. 481 OF 2023
(Gyanraj P. Kakde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri Gyanraj P. Kakde, party in person is **absent**. Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. Party in person is absent. Even on the last occasion also, party in person remained absent.

3. In view of same, S.O. to 05.04.2024 for passing order/for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 721 OF 2017
(Subhash K. Parlikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Smt. S.A. Dhongde, learned counsel for the applicant has filed a **leave note**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicant, S.O. to 02.04.2024 for final hearing.

MEMBER (J)

ORAL ORDER 02.02.2024 sas

**ORIGINAL APPLICATION NO. 507 OF 2020
(Anil S. Burkul Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri S.D. Dhongde, learned counsel for the applicant has filed a **leave note**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicant, S.O. to 02.04.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 567 OF 2020
(Rajendra V. Marale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri Prashant M. Nagargoje, learned counsel for the applicant, is **absent**. Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. Even on the last occasion also, none remained present for the applicant. This is old matter of the year 2020.

3. In view of same, S.O. to 05.04.2024 for passing order/for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 581 OF 2020
(Ganesh S. Khetre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri V.P. Kadam, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 04.03.2024 for final hearing.

MEMBER (J)

ORAL ORDER 02.02.2024 sas

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

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 27.03.2024 for final hearing.

MEMBER (J)

ORAL ORDER 02.02.2024 sas

ORIGINAL APPLICATION NO. 313 OF 2021
(Pandurang M. Kamble Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri P.B. Rakhunde, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 05.04.2024 for final hearing.

MEMBER (J)

ORAL ORDER 02.02.2024 sas

ORIGINAL APPLICATION NO.260 OF 2019
(Mukund Bajirao Jagtap Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request and by consent of both the parties, S.O. to 13.02.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

M.A.NO. 418/2022 IN O.A.NO. 640/2022
(Dilipkumar R. Patil Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri S.V. Deshmukh, learned counsel for the applicant (**absent**), Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record.

3. List the matter for hearing on 11.03.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO.1021 OF 2022
(Madhav Kamaji Khaarge Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel appearing for the applicant, S.O. to 09.02.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

**ORIGINAL APPLICATION ST. NO.1910 OF 2022
(Shamrao Ashruba Gite Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)**

DATE : 02.02.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel appearing for the applicant, S.O. to 09.02.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO.24 OF 2023
(Ashok Onkar Mahajan Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel appearing for the applicant, S.O. to 09.02.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

M.A.NO. 87/2023 IN O.A.NO. 259/2021
(Megharani P. Tarkase & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicants, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for respondent Nos. 4 & 5, are present.

2. This matter has been wrongly listed in await reply category matters. It be shown in hearing matters category.

3. Learned counsel for the applicants submitted that on the previous date orally the applicant was permitted to file additional affidavit. Learned counsel submits that though the copies of the said affidavit were provided to the learned Presenting Officer and other side, inadvertently additional affidavit could not be filed in the present matter. The applicant is permitted to file the same on record today. It be taken on record.

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**M.A.NO. 87/2023 IN
O.A.NO. 259/2021**

4. Respondent No. 5 though is shown “not served”, respondent No. 5 is already represented by learned counsel Shri Avinash S. Deshmukh. Remark be corrected.

5. S.O. to 08.02.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO.275 OF 2021
(Parmeshwar P. Pawar Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO.276 OF 2021
(Akshay Vilas Thorat Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri Dayanand B. Bhange, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. At the request of learned counsel for the applicants, S.O. to 15.03.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

C.P.NO. 30/2019 IN O.A.N. 526/2011
(Mohd. Azizullah Khan Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.02.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO. 387 OF 2023
(Sachin Madhukar Landge Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to work out the matter. Interim relief is running against the respondents. However, in the interest of justice, time sought for is granted till 12.02.2024.

3. S.O. to 12.02.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

M.A.NO. 16/2022 IN O.A.ST.NO. 1505/2021
(Ramesh Rajaram Kulthe Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri V.B. Wagh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.03.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO.168 OF 2022
(Shirish Ramchandra Yadav Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri Sri Jiwan J. Patil, learned counsel for the applicant and Shri Shailesh S. Chapalgaonkar, learned Special counsel for the respondent authorities.

2. S.O. to 06.02.2024 for further consideration.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO. 551 OF 2021
(Ram Dashrath ANerao & 3 Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits that the applicant does not wish to file rejoinder affidavit. List the matter for hearing on 07.03.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO. 444 OF 2023
(Ramchandra N. Palmate Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri L.S. Shaikh, learned counsel holding for Shri V.P. Golewar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 6 and the same is taken on record and copy thereof has been served on the other side

3. List the matter for hearing on 07.03.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

4. S.O. to 07.03.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 910 OF 2023
(Madhukar D. Bhandare Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri V.P. Sawant, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of the respondents. Time granted.

3. S.O. to 28.03.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO. 988 OF 2023
(Venkatesh Vijendra Mundhe Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri G.R. Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time for filing rejoinder affidavit. Time granted.

3. S.O. to 16.02.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

ORIGINAL APPLICATION NO. 509 OF 2022
(Groundwater Engineers' Association & Ors. Vs. State of
Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file affidavit in reply. The request is opposed by the learned counsel for the applicant stating that since last one year the matter is pending for affidavit in reply of respondent No. 1. In the interest of justice, time is granted till 16.02.2024 by way of last chance.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

M.A.NO. 577/2023 IN O.A.NO. 854/2023
(Shaikh Danish Abdul Rafat Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Heard Shri Rameez M. Shaikh, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The applicant has filed the present Misc. Application seeking amendment in the O.A. By way of amendment the applicant is intending to bring on record subsequent events occurred and prayer in context thereto.

3. We have gone through the contents of the amendment application, as well as, prayer made therein.

4. Learned Presenting Officer has submitted for passing appropriate orders.

5. Considering the fact as aforesaid we are inclined to allow the present Misc. Application. Hence, the following order: -

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**M.A.NO. 577/2023 IN
O.A.NO. 854/2023**

ORDER

(i) The Misc. Application is allowed. The necessary amendment be carried out within one week from today. Copy of the amended O.A. be served on the other side.

(ii) It would be open for the respondents to file the additional affidavit in reply, if they so desire in respect of the amendment effected in the O.A.

(iii) There shall be no order as to costs.

(iv) The O.A. to come up for hearing on 16.02.2024.

MEMBER (A)

VICE CHAIRMAN

M.A.NO. 315/2021 IN O.A.ST.NO. 1338/2021
(Chandrashekhar S. Iyer Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits that the applicant does not wish to file rejoinder affidavit. List the matter for hearing on 04.03.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 02.02.2024-HDD

CHAMBER APPEAL NO. 03 OF 2024
(Ankush Kachru Hiwale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman

DATE : 02.02.2024

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicants.

2. Vide order dated 29.11.2023 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 16.10.2023 the office has raised the following office objections:-

1. Deficit IPO of Rs. 55/- for Applicant & Respondent No. 6.
2. Annexure sequence incorrect in Memo.
3. Page No. 25-32, 33-34, 41 to 44 not properly fled.
4. Paging not matches with Index, List of documents and documents annexed.
5. Per Page documents not attested as T.C.
6. Page Nos. 80, 84, 89 & 95 not legible.

3. Vide office note dated 03.11.2023 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicants and office objections are not removed.

:: - 2 - :: CHAMBER APPEAL NO. 03 OF 2024

4. The applicants have made prayer for condonation of delay of about 49 days caused in filing Chamber Appeal No. 03/2024.

5. The learned Advocate for the applicants appeared today. He undertakes to remove the office objections within the period of two weeks.

6. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicants in view of the objections in spite of repeated chances. The fact that the M.A. St. No. 2038/2023 is filed seeking permission of this Tribunal to sue the O.A. jointly and O.A. is filed by the applicants challenging their reversion orders as well as challenging the orders of promotion dated 13.5.2022 and 15.07.2022 issued in favour of respondent Nos. 4 to 6 and in order to give an opportunity to the applicants to prove their claim on merits, it will be in the interest of justice to allow the appeal by condoning delay of about 49 days caused in filing this Chamber Appeal as the applicants shall not suffer for the negligence of thier Advocate. Hence, the following order:-

ORDER

(i) Delay caused in filing Chamber Appeal stands condoned. Consequently, the Chamber Appeal No.

:: - 3 - :: CHAMBER APPEAL NO. 03 OF 2024

03/2024 is allowed as the applicants undertake to remove the office objections within the period of two weeks.

(ii) Registrar of this Tribunal Bench at Aurangabad is directed to register the M.A. & O.A. after removing the office objections by the learned Advocate for the applicant and place the same before the appropriate bench for hearing.

VICE CHAIRMAN

ORAL ORDERS 02.02.2024-HDD

M.A. No. 29/2022 in O.A. St. No. 11/2022
(Yashvant M. Kadam Vs. State of Maharashtra & Ors.)

WITH

M.A. No. 507/2023 in O.A. St. No. 1937/2023
(Arun A. Ghate Vs. State of Maharashtra & Ors.)

WITH

M.A. No. 508/2023 in O.A. St. No. 1938/2023
(Gopal A. Kulkarni Vs. State of Maharashtra & Ors.)

WITH

M.A. No. 510/2023 in O.A. St. No. 1953/2023
(Shridhar S. Sewlikar Vs. State of Maharashtra & Ors.)

WITH

M.A. No. 511/2023 in O.A. St. No. 1954/2023
(Satish S. Bhalerao Vs. State of Maharashtra & Ors.)

WITH

M.A. No. 512/2023 in O.A. St. No. 1975/2023
(Shriniwas K. Deshmukh Vs. State of Maharashtra & Ors.)

WITH

M.A. No. 513/2023 in O.A. St. No. 2008/2023
(Shrikrishna N. Kulkarni Vs. State of Maharashtra & Ors.)

WITH

M.A. No. 514/2023 in O.A. St. No. 2012/2023
(Manohar D. Waghchaure Vs. State of Maharashtra & Ors.)

WITH

M.A. No. 542/2023 in O.A. St. No. 1952/2023
(Vasant T. Tandulje deceased through LRs. Vs. State of Maha. & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicants in all these cases and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. Shri Vishnu Kande, learned counsel holding for Shri Ajinkya Reddy, appears for respondent No.4

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in M.A. Nos. 508/2023 and 510/2023 and submits affidavit in reply on behalf of respondent No. 4 in both the cases. Same is taken on record and copy thereof is given to other side.

3. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 4 in M.A. No. 513/2023. Same is taken on record and copy thereof is given to other side.

4. S.O. to 16.02.2024 as a last chance for filing affidavit in reply on behalf of respondents in M.A.

MEMBER (J)

ORIGINAL APPLICATION NO. 81 OF 2018
(Sayyed Wali Abdul Khadar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri L.S. Shaikh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter.

3. At the request of learned counsel for the applicant, S.O. to 05.02.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 524 OF 2021
(Hanumant R. Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 18.03.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 275 OF 2022
(Sandip D. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri Avinash Khedkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.02.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 575 OF 2020
(Kondabai R. Ghadge & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri K.M. Nagarkar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 26.03.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 669 OF 2023
(Manojkumar A. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits rejoinder affidavit. Same is taken on record and copy thereof is given to other side.

3. S.O. to 14.02.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 497 OF 2020
(Bhujang V. Godbole Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. In compliance with the order dated 19.01.2024, learned counsel for the applicant submits short affidavit. Same is taken on record and copy thereof is given to other side.

3. Learned Presenting Officer seeks time to take instructions in this regard. Time granted.

4. It is a part heard matter. S.O. to 14.02.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 66 OF 2023
(Bhaginath C. Malika r Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri G.R. Jadhav, learned counsel holding for Shri Avishkar Shelke, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 16.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 617 OF 2023
(Shubhangi R. Bhoge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 4. Same is taken on record and copy thereof is given to other side.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent Nos. 1, 2 & 5. Time granted.

4. S.O. to 09.02.2024. Interim relief granted earlier to continue till then.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1119 OF 2023 WITH
CAVEAT NO. 40/2023**

(Dr. Milind V. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Shri Rahul S. Pawar, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri J.B. Choudhary, learned counsel for respondent No. 5, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 3 and submits that the respondent No. 4 is adopting the affidavit in reply filed on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof is given to other side.

3. Learned counsel for respondent No. 5 submits affidavit in reply. Same is taken on record and copy thereof is given to other side.

4. Learned counsel for the applicant seeks time to file rejoinder affidavit, if any. Time granted.

5. List the matter for admission hearing on 16.02.2024 and filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 94 OF 2024
(Dilip K. Sawant Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Heard Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 02.04.2024.

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 02.04.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 95 OF 2024
(Kuldip B. Minde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Heard Shri Vivek Rathod, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 29.02.2024.

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 29.02.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 538 OF 2022
(Narendra L. Rathod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Heard Shri H.P. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. It is a part heard matter.

3. By consent, S.O. to 06.02.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 585 OF 2022
(Chandrasen V. Lahade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

DATE : 02.02.2024

ORAL ORDER :

Heard Shri H.P. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. In compliance with the order dated 17.01.2024, learned Presenting Officer submits that the documents in response to the query made by this Tribunal are received and the Principal, Government Residential Women's Polytechnic, Latur is also present today before this Tribunal. Learned P.O. thus seeks time to prepare the short affidavit. Time granted.

3. It is a part heard matter. S.O. to 16.02.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.105 OF 2021
(Smt. Smita K. Suryawanshi & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for respondent nos. 3 to 7.

2. Learned counsel for the applicant desires to submit the written notes of arguments on record and has sought time by 5.2.2024. Time granted.

3. S.O. to 5.2.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 485 OF 2021
(Amol J. Kale Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
AND
Shri Vinay Kargaonkar, Member (A)

DATE : 02.02.2024

ORAL ORDER :

Shri M.G. Deokate, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

Shri Sanjay Wakure, learned counsel for respondent no. 5 and Shri D.A. Madke/A.B. Chalak, learned counsel for respondent no. 6 (**absent**).

2. In the interest of justice, S.O. to 23.2.2024. Learned counsel for the applicant submits that he will communicate the said date to learned counsel for private respondents.

MEMBER (A)

VICE CHAIRMAN