

**M.A. NO. 304/2024 IN O.A. NO. 926/2023**  
**(Shrikant. G. Talegave Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri J.M. Wagh, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Amendment Application can be heard and decided at the time of considering the Original Application.

3. S.O. to 27.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 393/2024**  
**(Dr. Shaikh Wahab Ayub Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri K.B. Bhise, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing sur-rejoinder of the applicant. Time granted.

3. S.O. to 6.9.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 52/2024**  
**(Rajendra T. Waldode Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri V.B. Wagh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer tendered affidavit in reply on behalf of sole respondent. It is taken on record and copy thereof has been given to the learned counsel for the applicant.

3. S.O. to 24.9.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A NO. 140/2022 IN O.A. ST. 494/2022**  
**(Vinod V. Bandale Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.S. Kande, learned counsel holding for Shri Ajinkya S. Reddy, learned counsel for respondent no. 3, are present.

2. Shri Kande, learned counsel submits that in the present matter the V.P. has been submitted by the learned counsel Shri Ajinkya Reddy for respondent no. 3 inadvertently. It is submitted that same was to be submitted in other matter for other respondents. In the circumstances, appearance of Shri Ajinkya Reddy, learned counsel for respondent no. 3 in the present matter be removed.

3. S.O. to 12.9.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 434/2024**  
**(Anil P. Ghodke Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri Anil P. Ghodke – party in person and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply. Request is opposed by the party-in-person. Record shows that the notices were issued on 5.4.2024 and thereafter on 2 occasions the time has been granted to the respondents to file affidavit in reply. In the interest of justice last chance granted for filing affidavit in reply. If the reply is not filed within the said period, the O.A. may be heard without reply of the respondents.

3. S.O. to 22.8.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A. NO. 18/2024 IN O.A. ST. 1199/2023**  
**(Piraji S. Amberao Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned counsel holding for Shri H.H. Padalkar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. On request of learned counsel for the applicant, S.O. to 10.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 951/2019**  
**(Shankar V. Bansode Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri D.R. Irale Patil, learned counsel for the applicant, Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri Atul Pawar, learned counsel holding for Shri B.S. Pawar, learned counsel for respondent no. 4, are present.

2. S.O. to 19.08.2024. **Part Heard.**

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 568/2022**  
**(Shivkanta J. Honwadajkar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri D.S. Mutalk, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 20.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 02.08.2024



**ORIGINAL APPLICATION NO. 802/2024**  
**(Sandu Y. Dongre Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri B.R. Kedar, learned counsel holding for Shri Swaraj Tandale, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 20.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 02.08.2024

**O.A. NOS. 381, 395 AND 721 ALL OF 2023**  
**(Rajesh S. Manwate & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri Vaibhav Pawar, learned counsel for the applicants in all these matters and S/shri V.G. Pingle & V.R. Bhumkar, learned Presenting Officers for the respondent authorities in respective matters, are present.

2. S.O. to 07.08.2024 for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 02.08.2024

**M.A. NO. 282/2024 IN O.A. ST. NO. 1112/2024  
(Sandeep D. Golwal Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri P.P. Chavan, learned counsel holding for Sm. Anagha Pedgaonkar, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Shri Chavan, learned counsel holding for Smt. Pedgaonkar, learned counsel for the applicant sought time. On previous date also learned counsel Smt. Pedgaonkar was absent.

3. On request of learned counsel for the applicant, S.O. to 27.08.2024. If the matter is not work out on the next date, the same shall stand dismissed for want of prosecution.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 420/2024**  
**(Shaikh Jakir Husain Abdul Sattar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri R.H. Sukale, learned counsel holding for Shri N.K. Narwade, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply. Time granted.
3. S.O. to 2.9.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**O.A. NOS. 1021/2022 and 186/2024**  
**(Madhav K. khairge & Another Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned counsel for the applicants in both the matters and S/shri M.B. Bharaswadkar & V.R. Bhumkar, learned Chief Presenting Officer & Presenting Officer for the respondent authorities in respective matters, are present.

2. Learned counsel for the applicants has placed on record copy of the charge sheet filed against the applicant in C.R. No. 303/2023 in O.A. No. 1021/2022. It is taken on record.

3. S.O. to 06.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 796/2024**  
**(Mohan H. Pokale Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice before admission, returnable on 20.08.2024.
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 20.08.2024.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1000/2023**  
**(Ramkant J. Sonkamble Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri P.G. Rodge, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that despite the order passed by this Tribunal the result has not been declared of the applicant. Learned P.O. submitted the result has been declared in the month of April, 2024 itself and it has been uploaded on the website and also communicated to the applicant. The documents in that regard are placed on record.

3. S.O. to 21.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 179/2019**  
(Dr. Suryakant D. Sonkhedkar Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 180/2019**  
(Dr. Padmaja Ajay Saraf Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 279/2019**  
(Dr. Dilip B. Dange Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 280/2019**  
(Dr. Balasaheb D. Masure Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 346/2019**  
(Dr. Sharda W. Kharat Vs. State of Maharashtra & Ors.)

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri J.S. Deshmukh, learned counsel for the applicants in all these matters and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities in all these matters, are present. None appears for respondent nos. 03 and 04 in O.A. No. 279/2019.

2. After having gone through the pleadings in the present matters, it appears to us that amicable settlement is possible in these matters in view of the previous decision rendered by the Tribunal. Learned counsel for the applicants and learned P.O. consent for keeping these matters before the **Lok Adalat** to be held on 21.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**C.P.NO. 67/2024 IN O.A.NO. 240/2024**  
**(Hareshwar R. Ghuge Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri P.M. Nagargoje, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 13.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.08.2024-HDD

**MISCELLANEOUS APPLICATION NO.332 OF 2024**  
**(Ashiwini J. Kolse & Gorkhnath Kashinath Gavhane Vs. State of Maharashtra & Ors.)**

**IN**

**MISCELLANEOUS APPLICATION NO.308 OF 2024**  
**(Nitin Bhagwan Magare & Yogeshwari S. Chintamani Vs. State of Maharashtra & Ors.)**

**IN**

**ORIGINAL APPLICATION NO.478 OF 2024**  
**(Manisha Eknathrao Kangle & Shubham Pratapasing Bahure Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri C.V. Dharurkar, learned counsel for the intervenors in M.A. No. 332/2024, Shri M.K. Bhosle, learned counsel for intervenors in M.A. No. 308/2024, Shri P.D. Jarare, learned counsel along with Shri A.V. Thombre, learned counsel for the applicants in O.A. No. 478/2024 and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants in O.A. has filed rejoinder affidavit to the affidavit in reply filed on behalf of respondent Nos. 1 to 4 and the same is taken on record and copy thereof has been served on the other side.

3. Learned counsel appearing for the intervenors as well as learned Chief Presenting Officer have prayed for modification of the interim order passed by this Tribunal in tune with the order which has been passed by the Hon'ble

Bombay High Court. In the O.A. on 19.04.2024 interim order was passed and thereby the respondents were directed to maintain status quo as on the said date insofar as the appointments in the District of Chhatrapati Sambhajinagar are concerned. The O.A. was filed by some other similarly situated candidates before the Principal Seat of this Tribunal at Mumbai and it is brought to our notice and the copy of the judgment is also placed on record showing that the O.A. has been dismissed by the Principal Seat of this Tribunal at Mumbai. It is further brought to our notice that in W.P. the Hon'ble Bombay High Court has protected the interest of the petitioners therein. Same order is sought to be passed in the present matter. It is brought to our notice that 94 posts are to be filled in the Chhatrapati Sambhajinagar District and no appointment has yet been made. In the present matter there are only 02 applicants who have some grievance about the recruitment process which has been carried out.

4. After having heard, we find it appropriate to modify the interim order. We find substance in the submission made on behalf of the intervenors to the effect that for 02 applicants the appointment of 94 candidates cannot be withheld. In the circumstances, we are inclined to modify the interim order as under: -

**:: - 3 - ::**

**ORDER**

(i) The respondents are directed to keep 02 posts vacant in the respective categories until further orders from this Tribunal. Needless to state that there may not be any impediment for the respondents to issue orders of appointment for the remaining 92 seats.

(ii) The matter to come up for hearing on 20.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

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

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 13.08.2024. **High on board.**

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.08.2024-HDD

**ORIGINAL APPLICATION NO. 1101 OF 2023**  
**(Balkrishna B. Kalkumube Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri S.A. Deshmukh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. List the matter for hearing on 20.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 376 OF 2022  
(Abhilash Vilas Gore Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri V.T. Patil, learned counsel holding for Shri O.Y. Kashid, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23.08.2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 776 OF 2024**  
**(Vyankat Sayyanna Thakke & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned counsel holding for Shri S.R. Barlinge, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present case is not on board. It is taken on record board at the request of learned counsel for the applicants.

3. Learned counsel appearing for the applicant submits that by order dated 25.07.2024 this Tribunal permitted the applicants to carry out amendment in the O.A. till 26.07.2024 but inadvertently the amendment is not carried out. Today, learned counsel seeks extension of one week's time to carry out the amendment in the O.A. Time is extended. Learned counsel for the applicants shall carry out the necessary amendment in O.A. within a period of one week.

4. S.O. to 03.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**M.A.NO. 38/2023 IN O.A. NO. 861/2022**  
**(Smt. Shobha Rangnath Tak Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. When the accompanying O.A. was filed no reversion order was passed against the applicant. During pendency of the O.A. on 18.01.2023 the order of reversion has been passed and in the circumstances the applicant has preferred the present M.A. seeking stay to the said order and also quashment of the said order. Unless the aforesaid pleadings are taken on record by way of amendment it may not be possible to grant any such relief in favour of the applicant. However, we do not see any impediment to allow the applicant to amend the O.A. suitably with contextual prayers. The amendment be carried out within two weeks.

3. In the contextual prayer the applicant may pray for staying the effect and operation of the said order so that the request can be considered even in that O.A.

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NO. 861/2022**

4. The M.A. stands disposed of however, without any order as to costs.

5. It would be open for the respondents to file additional reply to the amended portion of the O.A.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 02.08.2024-HDD

**M.A.NO. 222/2019 IN O.A.ST.NO. 851/2019**  
**(Namdeo Maroti Bawiskar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri B.G. Lathe, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The applicant has filed the present Misc. Application seeking condonation of delay, which has occasioned in filing accompanying Original Application. It is the case of the applicant that before few days of his retirement the documents were required to be submitted by him for his promotion to the next higher post. Though the applicant submitted documents within time the order of promotion was not issued in his favour. It is, therefore, the contention of the applicant that he shall be deemed to be promoted on the said post and the consequential benefits are also sought by the applicant. The delay occasioned is of around 04 years in approaching this Tribunal. Even if period of 01 year is excluded the delay may be of the period of 03 years.

3. After having gone through the contents of the M.A., it appears that the reasons which are stated in the application are just and sufficient to condone the delay. Thought in the affidavit in reply filed on behalf of the

**:: - 2 - :: M.A.NO. 222/2019 IN  
O.A.ST.NO. 851/2019**

respondents, they have contended that the reasons which are assigned are not acceptable, it is difficult to agree with the contentions so raised. It does not appear to us that the delay, which has occasioned is intentional or for mala fide reasons. In the circumstances, the applicant deserves to be given an opportunity to prosecute the present matter on merits. We are, therefore, inclined to allow the present application. Hence, the following order is passed: -

**ORDER**

- (i) The Misc. Application stands allowed.
- (ii) Delay caused in filing accompanying Original Application stands condoned subject to payment of cost of Rs. 2,000/- (Rs. Two thousand only) as a condition precedent.
- (iii) The accompanying Original Application be registered and numbered in accordance with law.
- (iv) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A. No. 546/2022 in O.A. St. No. 1695/2022**  
(Shaukat Ullah Khan Ahesan Khan Vs. State of Maharashtra & Ors.)

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri V.B. Kulkarni, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. There is a delay of 05 years, 02 months and 29 days caused in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the Original Application pertains to notional inclusion of annual increment for recalculating the pension, gratuity, earned leave, commutation benefits etc.

4. Learned counsel for the applicant submits that the applicant was initially appointed as Junior Clerk and retired as Office Superintendent on 30.06.2016 on attaining the age of superannuation. Even though the applicant has rendered one full year of service, he was not granted the annual increment only because he retired on 30.06.2016. In the month of February, 2022 the applicant has also

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O.A. St. No. 1695/2022

approached to the respondent No. 5 and several times pointed out the fact that he is entitled for yearly increments, which was due on 1<sup>st</sup> July, but the respondent authorities did not consider the same. Even the applicant has brought to notice of the department the principle laid down in the judgment of the Hon'ble Madras High Court in **Writ Petition No. 15732/2017** in this regard.

5. Learned counsel for the applicant submits that in a case **Govind Gundopant Sonar Vs. the State of Maharashtra & Ors. (Writ Petition No. 1881/2023)** and other connected Writ Petitions, the Hon'ble High Court of Bombay, Bench at Aurangabad has considered the identical cases wherein the employees having retired on 30<sup>th</sup> June of the particular years and who have earned the annual increment on account of performing work for 12 months ending on 30<sup>th</sup> June. It is observed that those employees shall tender their applications to the concerned authorities and after such applications are received, the concerned authorities would grant the reliefs as are being granted by the various High Courts by restricting the arrears of

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O.A. St. No. 1695/2022

payments to 3 years preceding the dates of the applications. It is also directed that the concerned respondent shall not reject a single application if it fits into the parameters of the judgments delivered by the court. Even the concerned respondents are also directed to suo-moto dig out such cases and after scrutinizing the same as regards their entitlement, proceed to grant the benefits in terms of judgments of his court, within 120 days.

6. Learned counsel for the applicant submits that in view of aforesaid observation, there is recurring cause of action and in the year 2020 to 2022, the application could not be approached to this Tribunal due to outbreak of Covid-19 pandemic. Even the said delay is required to be condoned in terms of the directives issued by the Hon'ble Supreme Court in **Suo Motu Writ Petition (C) No. 3 of 2020.** Learned counsel for the applicant submits that the delay is required to be condoned.

7. Learned Presenting Officer has strongly resisted the application on the ground that there is an inordinate delay for which no satisfactory

//4// M.A. No. 546/2022 in  
O.A. St. No. 1695/2022

explanation has been tendered by the applicant. Even though the applicant came to be retired in the year 2016, after gap of more than 5 years, the applicant has approached this Tribunal without any satisfactory reason. Learned P.O. submits that there is no substance in the Misc. Application seeking condonation of delay and the same is liable to be rejected.

8. After having gone through the decision rendered by the Hon'ble High Court of Bombay, Bench at Aurangabad in a case **Govind Gundopant Sonar Vs. the State of Maharashtra & Ors. (Writ Petition No. 1881/2023)** and other connected Writ Petitions, not only the concerned authorities have been directed to decide the applications but also directed the concerned authorities to sue-moto dig out such cases and after scrutinizing the same as regards their entitlement, proceed to grant the benefits as per the judgments of the court. The applicant in the instant case though retired way back in the year 2015, it appears that his case squarely covered in terms of observation made by the Hon'ble High Court of Bombay, Bench at Aurangabad in the aforesaid W.P. No. 1881/2023.



//5// M.A. No. 546/2022 in  
O.A. St. No. 1695/2022

I agree with the submissions made on behalf of applicant by his learned counsel that the cause of action is recurring in this case. There is no intentional or deliberate delay as such nor there is inaction on the part of the applicant.

9. Hon'ble Supreme Court in **Suo Motu Writ Petition (C) No. 3 of 2020** has passed the orders time to time in the backdrop of the outbreak of Covid-19 and the declaration of the lockdown in connection thereto and thus extended the period of limitation applicable to the proceedings before the Courts/ Tribunals. It appears that as per the order passed by the Hon'ble Supreme Court, the period from 15.03.2020 till 28.02.2022 has been excluded for the purpose of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings.

10. In view of above, I am inclined to condone the delay caused in filing the accompanying Original Application subject to payment of costs of Rs. 500/- (Five Hundred Only) by the applicant. Hence, the following order:-

//6// M.A. No. 546/2022 in  
O.A. St. No. 1695/2022

**ORDER**

- (i) The Misc. Application No. 546/2022 is hereby allowed.
- (ii) The delay of 05 years, 02 months and 29 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs of Rs. 500/- (Five Hundred Only) to be paid by the applicant. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order.
- (iii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.
- (iv) The M.A. is accordingly disposed of.

**MEMBER (J)**

**O.A. St. No. 1695/2022**

**(Shaukat Ullah Khan Ahesan Khan Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri V.B. Kulkarni, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. After registration, issue notices to respondents, returnable on 09.10.2024.

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 09.10.2024.

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

**MEMBER (J)**

**M.A. No. 27/2023 in O.A. St. No. 1510/2022  
(Bhagyesh S. Marathe Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Smt. Nima Suryawanshi, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. There is a delay of two years occurred in filing the accompanying Original Application.

3. Learned counsel for the applicant submits that the applicant, who is adopted son of deceased Government servant, has filed an application way back in the year 2015. However by communication dated 11.09.2019, the Joint Director (Dental), Medical Education and Research, Mumbai has informed to the respondent No. 3 i.e. the Dean, Multispecialty Hospital, Dhule that name of the applicant shall be deleted from the wait list maintained for the purpose of giving compassionate appointment to the eligible legal heirs of deceased Government employee. Learned counsel submits

//2// M.A. No. 27/2023 in  
O.A. St. No. 1510/2022

that the applicant has filed W.P. No. 536/2022 and by order dated 17.01.2022, the Division Bench of the Hon'ble High Court of Bombay, Bench at Aurangabad has directed respondent No. 2 to decide the application of the applicant seeking appointment on compassionate ground on its own merits in accordance with law within a period of six months. Learned counsel submits that by order 20.07.2022, the Director, Medical Education and Research, Mumbai has decided the same by passing detailed order and communicated to the applicant. Learned counsel submits that the delay is required to be counted from 20.07.2022 and not before that. In view of the same, there is no delay as such. Learned counsel submits that if the delay is counted from the year 2019, however, there is no intentional or deliberate delay as such, nor inaction on part of the applicant since, the applicant has approached the Hon'ble High Court of Bombay, Bench at Aurangabad by filing the aforesaid W.P. No. 536/2022. Learned counsel thus submits that the delay may be condoned.

//3// M.A. No. 27/2023 in  
O.A. St. No. 1510/2022

4. Learned Presenting Officer has strongly resisted the application on the ground that there is an intentional delay caused in filing the accompanying Original Application, for which no satisfactory explanation has been tendered by the applicant. Learned P.O. submits that there is no substance in the present M.A. seeking condonation of delay and the same is liable to be dismissed.

5. It appears that there are two orders passed by the Joint Director/Director, Medical Education and Research, Mumbai i.e. on 11.09.2019 and 20.07.2022 respectively. However, the said order dated 11.09.2019 might not have been communicated to the applicant effectively and as a result thereof, the applicant was constrained to file W.P. bearing No. 536/2022 and by order dated 17.01.2022, the Division Bench of the Hon'ble High Court of Bombay, Bench at Aurangabad has directed the respondent No. 2 therein to decide the application of the applicant on its own merits in accordance with law within a period of six months. It further appears that thereafter by order dated 20.07.2022, the Director, Medical Education and

//4// M.A. No. 27/2023 in  
O.A. St. No. 1510/2022

Research, Mumbai has passed detailed order and communicated to the applicant by confirming the earlier order. Anyhow the delay appears to be not intentional or deliberate one and there is no inaction on part of the applicant. Thus, I am inclined to condone the delay caused in filing the accompanying Original Application, subject to payment of costs by the applicant. Hence, the following order :-

**ORDER**

- (i) The Misc. Application No. 27/2023 is hereby allowed.
- (ii) The delay of two years caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs of Rs. 500/- (Five Hundred Only) to be paid by the applicant. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order.
- (iii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.
- (iv) The M.A. accordingly disposed of.

**MEMBER (J)**

**O.A. St. No. 1510/2022**  
(Bhagyesh S. Marathe Vs. State of Maharashtra & Ors.)

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Smt. Nima Suryawanshi, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. After registration, issue notices to respondents, returnable on 01.10.2024.

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 01.10.2024.

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

**MEMBER (J)**



**O.A. Nos. 895/2018, 209/2019, 643/2019, 696/2019, 96/2021, 127/2021, 551/2021, 145/2023, 690/2023 & 691/2023**  
**(Murlidhar E. Sakhare & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned counsel for the applicants in all these O.As., Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in all these O.As., Shri A.D. Gadekar, learned counsel for respondent Nos. 2 & 4 in O.A. No. 895/2018 and Shri S.B. Mene, learned special counsel for respondents in O.A. No. 895/2018 and for respondent Nos. 2 to 4 in O.A. 209/2019, are present.

Shri G.B. Rajale, learned counsel for respondent No. 2 in O.A. No. 643/2019, is **absent**.

2. It appears that the proposal dated 23.06.2022 referred today's order in connection with O.A. No. 773/2018 names of some of the applicants appeared in the said proposal.

3. In view of the same, S.O. to 22.08.2024 for final hearing.

KPB ORAL ORDER 02.08.2024

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 896 OF 2018**  
(Madhukar D. Madarase & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. By consent, S.O. to 22.08.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1018 OF 2022**  
**(Mangilal N. Shirsath Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has pointed out the judgment of the Hon'ble Supreme Court in a case of **Shaikh Miya s/o Shaikh Chand etc.etc. (Civil Appeal No. 6531-6533/2022 (arising out of SLP (C) Nos. 6039-6041/2016)) with Civil Appeal No. 6534/2022** and also G.R. dated 23.05.2023 issued by the Government in terms of observations made in by the Hon'ble Supreme Court in the aforesaid Civil Appeal No. 6531-6534/2022. Learned P.O. submits that in view of the same, nothing survives for further consideration in the present Original Application, since the reckoning date 31.03.1997 can only be considered for the purpose of pensionable service and not for any other benefits.

3. Learned counsel for the applicant seeks short adjournment to take instructions from the applicant in this regard. Adjournment granted.

4. It is a part heard matter. S.O. to 09.08.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 376 OF 2019**  
(Manik T. Takalkar & Ors. Vs. State of Maharashtra & Ors.)  
**WITH**  
**ORIGINAL APPLICATION NO. 122 OF 2018**  
(Ramdas T. Patil Vs. State of Maharashtra & Ors.)  
**WITH**  
**ORIGINAL APPLICATION NO. 558 OF 2018**  
(Ganesh D. Deshpande Vs. State of Maharashtra & Ors.)

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned counsel for the applicants in all these O.As. and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. By consent, S.O. to 05.09.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 667 OF 2024**  
**(Jijabai M. Kotkar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri D.V. Khillare, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that inadvertently the notices were not collected from the office.

3. In view of the same, returnable date is extended by four weeks.

4. S.O. to 04.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 866 OF 2018**  
**(Venkat M. Methe Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 03.09.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 160 OF 2022**  
**(Anant A. Kendrekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri Jitendra Chavan, learned counsel holding for Shri Akshay Kulkarni, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 25.09.2024 for hearing.

**MEMBER (J)**



**O.A. No. 19/2023 with O.A. No. 20/2023**  
(Dr. Ajit P. Thorbole & Nanasaheb S. Agale Vs. State of Maharashtra & Ors.)

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri D.S. Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicants in both the O.As. and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. At the request of learned counsel for the applicants, S.O. to 05.09.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

KPB ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 358 OF 2023**  
**(Girdhari G. Gunjarge Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 3 and 4, are present.

2. At the request of learned Presenting Officer, S.O. to 22.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 230 OF 2024**  
**(Dinkar V. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri P.D. Boadae, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 24.09.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 252 OF 2024**  
**(Santosh N. Kurule Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri Ashish Hazari, learned counsel holding for Shri A.B. Chalak, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 25 OF 2023**  
**(Vijay N. Mithpalle Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri V.D. Godbharle, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.09.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 219 OF 2023**  
(Pathan Haider Ali Khan Umarghan Vs. State of Maharashtra & Ors.)

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri M.S. Taur, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant do not want to file any rejoinder affidavit.

3. S.O. to 18.09.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 394 OF 2024**  
**(Sanjay G. Amrutwar Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri U.S. Mote, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof is given to learned counsel for the applicant today itself.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 09.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 693 OF 2024**  
**(Thakur K. Shah Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri A.S. Kadam, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that due to his personal difficulties, the notices could not be collected from the office.
3. In view of the same, returnable date is extended by three weeks.
4. S.O. to 23.08.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 694 OF 2024**  
**(Amit A. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri A.S. Kadam, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that due to his personal difficulties, the notices could not be collected from the office.

3. In view of the same, returnable date is extended by three weeks.

4. S.O. to 23.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 144 OF 2024**  
**(Vilas S. Kotkar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Ms. Preeti Wankhade, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof is given to learned counsel for the applicants today itself.

3. List the matter for filing rejoinder affidavit, if any and admission hearing on 29.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 696 OF 2024**  
**(Shaikh S. Mohoddin Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that during the course of the day affidavit in reply on behalf of respondent No. 3 will be filed. Learned P.O. seeks time to file affidavit in reply behalf of respondent Nos. 1 & 2.

3. Learned counsel for the applicant submits that the recovery is sought by the department from the retiral benefits of the applicant and the applicant is Class-III employee.

4. In view of above, till the next date, the process of recovery by the department is hereby stayed.

5. S.O. to 28.08.2024 for filing affidavit in reply on behalf of respondent Nos. 1 and 2.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 625 OF 2024**  
**(Machindra B. Padale Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri S.S. Dambe, learned counsel for the applicant (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record along with spare copy for other side. Learned P.O. submits that other respondents are adopting the affidavit in reply filed on behalf of respondent No. 2.

3. S.O. to 03.09.2024 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**M.A. No. 570/2023 in O.A. St. No. 2370/2023  
(Shrawan G. Chabukswar Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri S.R. Kolhare, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant, though the present matter is listed in urgent admission category.

3. S.O. to 10.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 784 OF 2024**  
**(Madhukar S. Sonawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. The office has raised an objection that the present Original Application is barred by limitation.

3. Learned counsel for the applicant seeks time to file application for condonation of delay. Time granted.

4. S.O. to 09.08.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 555 OF 2018**  
**(Nirmala B. Bhandari Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. By consent, S.O. to 09.08.2024 for hearing in urgent admission category.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 773 OF 2018**  
**(Shivaji B. Satote Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar learned counsel for the applicant, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No. 2.

2. Learned Presenting Officer submits that it is brought to the notice now that during pendency of the present Original Application, on 23.06.2022 the detailed favourable proposal is forwarded to respondent No. 1 by the Superintending Engineer, Aurangabad i.e. respondent No. 3, which includes the name of the present applicant at Sr. No. 2. Learned P.O. submits that the said proposal is pending with the Government. Copy of the said proposal dated 23.06.2022 is taken on record and marked as document 'X' for identification.

3. Learned counsel for the applicant seeks time to take instructions in this regard and take appropriate steps. Time granted.

4. It is a part heard matter. S.O. to 22.08.2024 for further hearing.

**MEMBER (J)**



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

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

**DATE : 02.08.2024**

**ORAL ORDER :**

None present for the applicant. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri Vishnu Kande, learned counsel holding for Shri Ajinkya Reddy, learned counsel for respondent No. 4, are present.

2. At the request of learned counsel for respondent No. 4, S.O. to 30.08.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 02.08.2024

**M.A. No. 510/2022 in O.A. St. No. 571/2022**  
**(Ashok G. Jondhale & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri H.V. Patil, learned counsel for the applicants (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicants, S.O. to 08.10.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 387 OF 2016**  
(Dr. Nomani Muhammed Mufti Tahair Vs. State of Maharashtra & Ors.)

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Smt. Vinaya Muley-Dharurkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that by Government order dated 12.06.2024, the grievances raised by the applicant in the present Original Application have been redressed. Learned counsel submits copy of the said Govt. order dated 12.06.2024, which is taken on record and marked as document 'X' for identification. Learned counsel submits that in view of the same, nothing survives for further consideration in the present Original Application and purpose of filing of the same has been fully served.

3. Learned Presenting Officer submits that in terms of clause No. 4 of the said Government order dated 12.06.2024, certain compliance is to be made

//2//

O.A. No. 387/2016

by the applicant. However, it is open for the respondent authorities to insist for compliance on part of the applicant in terms of Government order dated 12.06.2024.

4. In view of above submissions, the Original Application stands disposed of. No order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 894 OF 2018**  
**(Shivaji B. Satote Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri R.P. Bhumkar, learned counsel for the applicant, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 3 and 4, are present.

2. The present matter appears to be connected with the O.A. No. 773/2018.

3. In view of above, the present matter shall be tagged to the aforesaid O.A. No. 773/2018.

4. S.O. to 22.08.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 576 OF 2021**  
**(Atmaram M. Raut Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. By consent, S.O. to 05.09.2024 for hearing.  
Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 708 OF 2021**  
**(Sayyed Abeda Begum Sayyed Ajaz Ahmed Quadri Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri A.L. Kanade, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. By consent, S.O. to 09.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 756 OF 2022**  
**(Jitendra V. Kadam Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri V.D. Godbharle, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Part heard.

3. S.O. to 19.09.2024 for further hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 1108 OF 2022**  
**(Rajendra T. Dawange Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 07.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 60 OF 2023**  
**(Vithal R. Motarwar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri P.V. Ambade, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 19.09.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 798 OF 2023**  
**(Jaywant R. Wagh Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 26.09.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 81 OF 2024**  
**(Ganesh M. Mupde Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri Mohit Deshmukh, learned counsel for the applicant (**Absent**)

Heard Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. None present for the applicant today, even on 23.04.2024, 09.05.2024, 12.06.2024 & 23.07.2024 the applicant and his counsel remained absent. In view of the same, the Original Application stands dismissed in default. Interim relief stands vacated.

**MEMBER (J)**

**O.A. Nos. 319, 320, 321, 322, 323, 341 & 342 all  
of 2024**

**(Shital S. Shinde & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. The present matters are reserved for orders.

**MEMBER (J)**

KPB ORAL ORDER 02.08.2024

**ORIGINAL APPLICATION NO. 332 OF 2024  
(Somnath B. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri Sameer Kurundkar, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 07.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 606 OF 2024**  
**(Maruti B. Garote Vs. State of Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Shri R.R. Bangar, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present. Shri D.T. Devane, learned counsel for respondent No. 3, is **absent**.

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 learned counsel for the applicant.

3. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondent No. 1 & 2. Time granted.

4. S.O. to 21.08.2024.

**MEMBER (J)**

**M.A. No. 316/2024 in O.A. No. 114/2024**  
**(Gangasagar B. Kokate @ Gangasagar T. Sable Vs. State of**  
**Maharashtra & Ors.)**

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

**DATE : 02.08.2024**

**ORAL ORDER :**

Applicant in person, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for respondent No. 4, are present.

2. Learned counsel for respondent No. 4 submits affidavit in reply in M.A. Same is taken on record and copy thereof is given to the applicant, who is present in person.

3. At the request of applicant, S.O. to 09.08.2024.

**MEMBER (J)**