

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

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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard Shri A.S. Shelke, learned Advocate  
holding for Shri S.K. Shelke, learned Advocate for  
the applicants in respective matters and

//2/ T.A.11/1999 (W.P.3251/1993  
& Ors.)

Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters.

Shri Vivek Bhavthankar, learned Advocate for the respondent Nos. 2 & 3 in T.A.No.11/2019, Shri S.R. Barlinges, Shri Subhash Mundhe, Shri B.B. Yenge, learned Advocates for the applicants in respective matters and Shri Goverdhan Ganoji, party in person in T.A.No.06/2006, are **absent**.

2. S.O. to 24.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 111 OF 2023**  
(Gajanan M. Shikare Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard Shri S.S. Haikude, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, Shri S.K. Sawangikar, learned Advocate for the respondent No.4 and Shri G.J. Korel, learned Advocate for the respondent No.3.

2. S.O. to 17.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 758 OF 2015**  
(Dr. Tanuja S. Kulkarni Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. S.O. to 21.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 03.03.2023.

**O.A.NO. 89/2016 WITH O.A.NO. 150/2016**  
(Shaikh Asraf Sk Sardar & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicants in both the O.As., Shri D.R. Patil, learned Presenting Officer for the respondent authorities in O.A.No.89/2016, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in O.A.No. 150/2016 and Shri S.B. Patil, learned Advocate for the respondent Nos. 2 to 4 in O.A.No.89/2016 and for respondent No.2 in O.A.No.150/2016.

2. S.O. to 14.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 185 OF 2016**  
(Lalu J. Pawara Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard Shri A.S. Shelke, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for the respondent No.4.

Shri C.V. Bhadane, learned Advocate for the respondent No.3, **absent**.

2. The present matter be treated as part heard.

3. S.O. to 17.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 750 OF 2016**  
(Jaysing S. Maher Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned Advocate for the respondent Nos.2 & 3.

Shri S.T. Shelke, learned Advocate for the respondent No.4, **absent**.

2. S.O. to 21.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 869 OF 2016**  
(Dhanraj T. Lazade Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

None present for the applicant.

Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 21.03.2023 for final hearing peremptorily/dismissal.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 156 OF 2017**  
(Raufkhan H. Pathan Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Shri A.D. Sonar, learned Advocate for the applicant, is **absent**. Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 20.03.2023 for final hearing peremptorily/dismissal.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 117 OF 2017**  
(Changdev N. Dhawale Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. S.O. to 20.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 03.03.2023.

**ORIGINAL APPLICATION NO. 226 OF 2017**  
(Baliram S. Kakade Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard Shri K.M. Nagarkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. S.O. to 21.03.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 03.03.2023.

**ORIGINAL APPLICATION NO. 989 OF 2022**  
**(Leelavati P. Kamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Shri Pramod A. Kulkarni, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 14.3.2023 for filing affidavit in reply.

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD

**ORIGINAL APPLICATION NO. 991 OF 2022  
(Shrinivas G. Gangthade Vs. State of Maharashtra & Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Shri V.P. Golewar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 3 and the same is taken on record. Learned P.O. undertakes to serve the copy of the affidavit in reply on the learned counsel for the applicant.

3. S.O. to 10.4.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD

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

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Mrs. Suchita Amit Dhongde, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. List the matter for hearing on 16.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD

**ORIGINAL APPLICATION NO. 172 OF 2021**  
**(Baliram Sopanrao Pandule Vs. State of Maharashtra & Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.3.2023. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD

**ORIGINAL APPLICATION NO. 1143 OF 2022  
(Uttam Prabhu Tumbewad Vs. State of Maharashtra & Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Shri Vinod D. Godbharle, learned counsel for the applicant and Mrs. Deepali S. Deshpande, 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 & 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. List the matter for hearing on 14.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD



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

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Shri N.R. Thorat, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.3.2023. **High on board.**

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD

**ORIGINAL APPLICATION NO. 159 OF 2023  
(Vinayak Uttamrao Banchod Vs. State of Maharashtra &  
Ors.)**

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

**DATE :** **3.3.2023**

**ORAL ORDER :**

Heard Shri S.S Jadhavar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 18.04.2023.

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 18.04.2023.

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

**VICE CHAIRMAN**

**M.A.NO. 94/2023 IN O.A.ST.NO. 377/2023  
(Shaikh Rashid Shaikh Mohammad Hanif and Anr. Vs.  
State of Maharashtra & Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Heard Ms. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

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

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

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

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD

**ORIGINAL APPLICATION ST. NO. 377 OF 2023  
(Shaikh Rashid Shaikh Mohammad Hanif and Anr. Vs.  
State of Maharashtra & Ors.)**

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

**DATE :** **3.3.2023**

**ORAL ORDER :**

Heard Ms. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 18.04.2023.

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 (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 18.04.2023.

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

**VICE CHAIRMAN**

**T.A.NOS. 03 TO 11 ALL OF 2023**  
**(Kapil K. Gujar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

S/Shri Abhijit S. More, Dr. Suresh Mane, Sachin S. Deshmukh, Sayyed Tauseef Yaseen, S.A. Nagarsoge, S.S. Thombre, S.S. Jadhavar, S.S. Thombre & Mahadev Chaudhari, learned counsel for the respective applicants in respective matters, S/Shri M.S. Mahajan, V.R. Bhumkar, M.P. Gude, S.K. Shirse and Mrs. Deepali S. Deshpande, learned Chief Presenting Officer and learned Presenting Officers for the respondent authorities and Shri Umesh Mote, learned counsel for Zilla Parishad, Beed in T.A. Nos. 8, 9 & 10 all of 2023, are present.

2. S.O. to 28.3.2023.

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD

**M.A.NO. 291/2022 IN O.A.ST.NO. 1070/2022**  
**(Karima Begum W/o Shaikh Daud Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Heard Shri S.B. Solanke, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the State authorities.

2. The applicant has preferred the present Misc. Application seeking condonation of delay, which has occasioned in filing the accompanied O.A. before this Tribunal.

3. In the O.A. the applicant is seeking her appointment on the post of Sweeper in view of the recommendation of Lad Page Committee. It is the contention of the applicant that she was constantly pursuing her request with the authorities and her request came to be turned down in the year 2018. Learned counsel for the applicant submitted that delay of about 2 years, 8 months and 17 days has occurred in approaching this Tribunal, after the request of the applicant was rejected by the authorities. Learned counsel submits that the delay is unintentional and for

bona-fide reasons and opportunity be given to the applicant to prosecute her matter on merits.

4. Learned Presenting Officer has opposed for condoning the delay stating that it has not been properly explained and delay is of much more than stated in the application. According to the learned Presenting Officer, the delay in approaching the Court is more than 15 years. In the circumstances, the prayer has been made for dismissing the application for delay condonation.

5. I have carefully considered the submissions advanced by the learned counsel for the applicant and learned Presenting Officer for the respondents.

6. Lad Page Committee recommendations were for appointment of the legal heirs of the Sweeper, who stand at lowest ladder of the society. Time to time certain modifications have been made and the Government has continued the said scheme having regard to the circumstances existing at the time. Subsequently, Government has even removed the clause of making application in a particular period. If the scheme read in the G.R. in that regard and by responsibility is cast on the Government authorities to explain the scheme to the concerned employee or his legal representatives, so that they can make proper application. In the present matter

**:: - 3 - :: M.A. 291/22 IN O.A.ST. 1070/22**

whether that mandate was followed or not can be decided during the course of only final hearing of the matter. In the present matter the delay, though appears to be of longer period, having regard to the other circumstances more particularly that the applicant is claiming appointment on the post of Sweeper for which it is noticed that there is nobody willing on the said post and everywhere such posts are lying vacant.

7. Having regard to the facts as aforesaid, I deem it appropriate to allow the present Misc. Application. Hence, the following order: -

**ORDER**

- (i) M.A. stands allowed with no order as to costs.
- (ii) The delay occurred in filing accompanying O.A. is condoned.
- (iii) The Original Application be registered in accordance with law.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION ST.NO. 1070 OF 2022  
(Karima Begum W/o Shaikh Daud Vs. State of  
Maharashtra & Ors.)**

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

**DATE :** **3.3.2023**

**ORAL ORDER :**

Heard Shri S.B. Solanke, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the State authorities.

2. Issue notice to respondents, returnable on 12.04.2023.

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 12.04.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 45 OF 2023**  
**(Sanjay D. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

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

2. The applicant has challenged the order dated 21.10.2022, whereby he has been transferred from Ahmednagar to Latur on the same post on administrative grounds. In the Original Application the applicant has raised several grounds in exception to the aforesaid order. However, today when the matter is finally heard Shri Ashtekar, learned counsel appearing for the applicant submitted that the applicant is restricting his claim only for the current academic year since his daughter is undergoing the examination of 12<sup>th</sup> standard. Learned counsel submitted that on 1<sup>st</sup> June, 2023 the applicant will report at the transferred place. Learned counsel has informed on instructions that no one has been posted in place of the applicant at Ahmednagar and he has not yet handed over the charge of his said post. In the circumstances, to the aforesaid extent the relief is sought by the applicant.

3. Learned Presenting Officer has opposed the submissions made on behalf of the applicant stating that after completing the normal tenure of his post at Ahmednagar the applicant has been duly transferred. It is further contended that not only the applicant several other similarly situated employees have also been transferred and there is a common transfer order passed on 21.10.2022, thereby transferred 13 employees from their existing stations to other stations where the vacancies are there. Learned P.O. further submitted that the applicant has been relieved from the duties on 29.11.2022. It is further contended that the applicant must have first joined at the transferred place and without that he could not have raised the objection for his order of transfer. On the aforesaid grounds the Original Application is opposed.

4. After having considered the submissions made on behalf of the applicant and the respondent authorities and after having gone through the documents filed on record and more particularly having regard to the submissions made by the learned counsel for the applicant that the applicant is willing to join at the transferred place on 1<sup>st</sup> June, 2023 and the retention is sought only for the purpose that the daughter of the applicant is appearing for the examination of 12<sup>th</sup>

standard, I am inclined to accept the request of the applicant to the aforesaid extent. In fact, when the daughter of the applicant was studying in 12<sup>th</sup> standard and this fact was brought to the notice of the respondents, the request of the applicant to retain him at least for the current academic year could have been accepted by the respondents. Since the reason as has been assigned for retention of the applicant at the existing place is cogent and just, to that extent the request of the applicant deserves to be accepted.

5. The question only arises whether the applicant had worked and discharged his duties after 29.11.2022. In absence of the necessary complete material before this Tribunal no effective orders can be passed in this regard. The respondents shall take appropriate decision in this regard. It would be open for the applicant to make representation with the appropriate authorities, which can be considered on its own merit by the authorities concerned. The respondents shall permit the applicant to discharge his duties henceforth till 31.5.2023 and shall relieve him from the existing post on 31<sup>st</sup> May, 2023 after office hours.

6. With the aforesaid observations, the Original Application stands disposed of. There shall be no order as to costs.

**VICE CHAIRMAN**

ORAL ORDER 3.3.2023-HDD

**C.P. No. 39/2022 in O.A. No. 208/2021**  
**(Dnyaneshwar B. Biradar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.B. Solanke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the applicant, issue fresh notice to the respondent Nos. 1 & 3 in C.P., returnable on 17.04.2023.

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 (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 17.04.2023.

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

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 03.03.2023

**ORIGINAL APPLICATION NO. 758 OF 2017**  
**(Dadarao D. Boarade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant filed second set of the present O.A. Same is taken on record.
3. S.O. to 30.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 108 OF 2021**

**(Chhaya D. Saste @ Chhaya V. Kale & Ors. Vs. State of Mah. & Ors.)**

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

**and**

**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri Z.H. Farooqui, learned Advocate holding for Shri N.V. Gaware, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri D.R. Adhav, learned Advocate for respondent Nos. 5 to 9 and Shri D.R. Adhav, learned Advocate holding for Shri A.S. Sawant, learned Advocate for respondent No. 10.

2. The present Original Application is filed challenging seniority in respect of the post of Talathi and promotion there from to the post of Circle Officer.

3. Learned Advocate for the applicants submitted that by now the applicant Nos. 1 to 4 and 6 to 8 have been promoted. The promotion case of the applicant No. 5 is pending, as the D.E. is pending against him. In these circumstances, learned Advocate for the applicants submits that the present O.A. has become infructuous except the applicant No. 5 to whom liberty may be granted to file the O.A., if cause of action arose. The applicant No. 5 definitely will have legal right on some fresh cause of action.

4. In these circumstances, the Original Application stands disposed of without any order as to costs.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 670 OF 2022**  
**(Dr. Rajeshree Nirmal Agarwal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that liberty may be granted for filing affidavit in reply during the course of the day.
3. Liberty as prayed for by the learned P.O. is granted.
4. At the request of learned Advocate for the applicant, time is granted for filing rejoinder, if any.
5. S.O. to 05.04.2023 for hearing .

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 89/2023 in O.A. St. No. 3037/2022**  
**(Annasaheb R. Andhale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Shri A.P. Avhad, learned Advocate for the applicant  
**(Absent)**. Shri V.R. Bhumkar, learned Presenting Officer  
for the respondent authorities, is present.

2. As none present for the applicant, S.O. to  
29.03.2023.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 03.03.2023

**ORIGINAL APPLICATION NO. 164 OF 2023**  
**(Vishnu B. Jaybhaye Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 12.04.2023.

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 12.04.2023.

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

**MEMBER (A)**

**MEMBER (J)**



**M.A. No. 304/2020 in O.A. St. No. 1095/2020  
(Abhay A. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Ms. Priyanka Deshpande, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Liberty is granted for filing documents on record along with short affidavit as per the request made by the learned Advocate for the applicant.

3. S.O. to 27.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 563/2022 in O.A. No. 730/2022**  
(Gajanan P. Chaudhari & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri R.A. Joshi, learned Advocate for the applicants / intervenors in the present M.A., Shri V.G. Pingle, learned Advocate for the applicants in the O.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. By consent of all the parties, S.O. to 12.04.2023 for hearing. Interim relief granted earlier in O.A. to continue till then.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 03.03.2023

**M.A. No. 104/2023 in O.A. No. 716/2022**  
**(Dr. Milind V. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant / intervenor in the present M.A., Shri A.D. Sugdare, learned Advocate for the applicant in O.A. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. By consent of all the parties, S.O. to 14.03.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 03.03.2023

**ORIGINAL APPLICATION NO. 259 OF 2018**  
**(Naseem Banu Nazir Patel Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.

3. By consent of both the parties, S.O. to 15.03.2023.

**High on board.**

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 756 OF 2018**  
**(Barindrakumar C. Gavit Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri Avishkar Shelke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The present matter is closed for orders.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 232 OF 2019**  
**(Maruti T. Kamble & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. At the request of learned Advocate for the applicants, S.O. to 31.03.2023. **High on board.**

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 431 OF 2020**  
**(Purushottam G. Khule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.D. Joshi, learned Advocate for respondent No. 6. Shri S.P. Salgar, learned Advocate for respondent Nos. 3 to 5, **absent**.

2. At the request of learned Advocate for the applicant, S.O. to 31.03.2023. **High on board**.

**MEMBER (A)**

**MEMBER (J)**

**T.A. No. 22/2022 (W.P. No. 12575/2022)**  
**(Shankar P. Dange Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri R.J. Nirmal, learned Advocate holding for Shri R.R. Kale, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned Advocate for respondent No. 4.

2. The present matter is to be treated as part heard.
3. S.O. to 16.03.2023. **High on board.**

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 655 OF 2022  
(Madhav C. Padvi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri F.R. Tandale, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The present matter is to be treated as part heard.
3. S.O. to 05.04.2023. **High on board.**

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 185/2021 in O.A. No. 257/2021**  
**(Nanasaheb L. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

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

2. S.O. to 17.03.2023 for hearing. **High on board.**
3. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 03.03.2023

**M.A. No. 192/2021 in O.A. No. 258/2021  
(Laxman N. Sormare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

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

2. S.O. to 17.03.2023 for hearing. **High on board.**
3. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 03.03.2023

**ORIGINAL APPLICATION NO. 1038 OF 2022**  
**(Prakash S. Jain Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Shri A.D. Sonar, learned Advocate for the applicant (**Absent**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri M.S. Bansod, learned Advocate for respondent No. 6, are present.

2. Learned Advocate Shri J.B. Choudhary, filed **VAKALATNAMA** on behalf of respondent Nos. 7 and 8. Same is taken on record.

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

4. S.O. to 20.04.2023.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 371 OF 2022**  
**(Babasaheb B. Bhosle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned P.O., time is granted as one more last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 28.03.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 28 OF 2023**  
**(Vijay R. Sarole Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present. Shri K.F. Shingare, learned Advocate for respondent No. 3, **absent**.

2. At the request of learned P.O., time is granted for filing affidavit in reply on behalf of respondent Nos. 1, 2 & 4.

3. S.O. to 18.04.2023. Interim protection granted initially on 08.08.2022 is extended till then.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 138/2019 in O.A. No. 805/2017**  
**(Dr. Vanita N. Puri Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Shri Vishnu Dhoble, learned Advocate for the applicant (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri Avinash Deshmukh, learned Advocate for respondent No. 4, are present.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed on behalf of respondents in M.A. Hence, the present matter will proceed further without affidavit in reply of the respondents in accordance with law.

3. S.O. to 17.04.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 249/2020 in O.A. No. 1009/2019  
(Bharat S. Maher Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Shri S.S. Thombre, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 05.04.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

KPB ORAL ORDERS 03.03.2023

**O.A. Nos. 445, 446, 447, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 494, 113 AND 114, ALL OF 2017, M.A. No. 325/2017 IN O.A. St. No. 941/2017, M.A. No. 36/2019 IN M.A. St. No. 82/2019 IN O.A.ST.NO.83/2019 AND M.A. No. 144/2019 IN O.A. St. No. 400/2019 (Marathwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shramik Sanghatana, Beed & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023**

**ORAL ORDER :**

Heard S/shri A.S. Shelke, S.S. Shinde & V.G. Pingle, learned Advocates for the respective applicants in respective cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. Learned Chief Presenting Officer filed sur-rejoinder on behalf of respondent Nos. 1 to 5 to the rejoinder affidavit by the applicant in O.A. No. 454/2017. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 05.04.2023 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 468 OF 2022  
(Smita S. Ingle Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.03.2023 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 01 OF 2022  
(Vishnu B. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
and  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Shri K.G. Salunk, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.03.2023 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 02 OF 2022**  
**(Shantilal D. Hiwarale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 03.03.2023.**

**ORAL ORDER :**

Shri K.G. Salunk, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.03.2023 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**



**M.A. NO. 567/2022 IN O.A. NO. 1100/2022**  
**(Dr. Namita Korwate Vs. State of Maharashtra & Ors.)**  
**AND**  
**M.A. NO. 568/2022 IN O.A. NO. 1099/2022**  
**(Dr. Sapna H. Tallarwar Vs. State of Maharashtra & Ors.)**

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

**DATE : 3.3.2023**

**ORAL ORDER :**

Ms. Preeti Wankhade, learned counsel for the applicants in both the matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. S.O. to 8.3.2023 for passing orders. **High on Board.**

**VICE CHAIRMAN**