

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

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench
Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -03/05/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Regular Admission Matters						
1	MA204/23 In OA697/22	Nanded	Adv.G.N. Kulkarni (Mohammad Shahejada Mohammad Sultan)	M.A. For Condonation of Delay		22.6.23
2	MA205/23 In OA698/22	Nanded	Adv.Girish N Kulkarni (Ahmed Khan Inyat Khan)	M.A. For Condonation of Delay		22.6.23
3	MA215/23 In OASt522/23	A'nagar	Adv.B.R. Sable (Balasaheb S Gawali)	M.A. For Condonation of Delay		13.7.23
4	OA345/23	Nanded	Adv.A.B. Rajkar (Uttam G Nikam)	Pensionary Benefits/ Arrears/ Interest on Delayed Payment		13.7.23
5	OA350/23	N'bar	Adv.Ajay S Deshpande (Sandip U Patil)	Transfer		4.5.23
6	OASt758/23	Latur	Adv.R.K. Ashtekar (Bharti V Raut)	Continuation of Service	Circulation with Office Objection	Disposed of
Order Matters						
7	MA400/21 In OA701/21	A'bad	Adv.N.D. Sonavane (Vijay E Sonune) <u>Adv.Dinesh Kakde/Adv.R.V. Gore in OA701/21</u> (Kishor B Marathe)	M.A. For Intervention for Adding Pary Respondent	For Hearing	24.7.23

8	MA569/22 In OA583/21	J'gaon	Adv. Swaraj S Tandale (Late Jitendra M Panje Through LR.s Manjusha J Panje & Ors.)	M.A. For Bringing LR.s on Record With Prayer of Abetment		24.7.23
Due Admission Matters						
9	OA147/21	Latur	Adv.P.B. Rakhunde (Ratnaprabha T Hingade)	Regularization/ Salary (Part Time Sweeper)	For Hearing Reply Filed by R-1 to R- 5	25.7.23
9	OA632/21	O'bad	Adv.Prashant D Surywanshi (Harishchandra G Lohkare)	Regularisation of Suspension Period	Reply Filed by R-1 to R-3	10.7.23
10	OA782/21	A'bad	Adv.G.K.Kshirsagar/ Adv.G.J. Pahilwan (Dhrupatrao P Jadhav)	Withdrawal Benefit of ACPS	Reply Filed by R-1 to R- 4	30.6.23
11	OA255/22	Hingoli	Adv.Vivek G Pingle (Namdeo V Agashe & Ors.)	Arrears	For Hearing Reply Filed by R-1 to R- 4	Disposed of
12	OA618/22	Beed	Adv.Avinash S Khedkar (Shivaji M Palepad)	Suspension Period	Reply Filed by R-2	14.7.23
13	OA718/22	Nanded	Adv.Kakasaheb B Jadhav (Shankar F Pawar)	Refund of Recovered Amount	For Hearing Reply Filed by R-3	12.7.23
14	OA915/22	A'bad	Adv.Kakasaheb B Jadhav (Kailas M Prajapati)	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R- 5	12.7.23
15	OA929/22	A'bad	Adv. Harish S Bali (Surekha V Jadhav)	Compassionate Appointment (Lad Page Committee)	For Hearing Reply Filed by R-2	27.6.23
16	OA934/22	O'bad	Adv.K.G. Salunke (Rahimatbi S Babulal & Ors.)	Arrears & Wages	For Hearing Reply Filed by R-4	Allowed
17	OA983/22	A'bad	Adv.Harish S Bali (Pramod A Gaikwad)	Lad Page Committee Appointment Sweepers	For Hearing Reply Filed by R-2	27.6.23

18	OA1112/22 With Caveat40/22	A'bad	Adv.A.S. Deshmukh (Mohammad Raza Khan) <u>Adv.CPO, MAT A'bad</u> <u>For Caveator i.e. The</u> <u>State of Maharashtra</u> <u>Through Additional</u> <u>Chief Secretary, Urban</u> <u>Development Dept.</u> <u>Adv.M.B. Bharaswadkar</u> for R.No.3	Transfer	For Hearing Reply Filed by R-1 to R- 3	8.6.23
19	OA267/23	Dhule	Adv.Ajay S Deshpande (Chandrakant B Paraskar)	Transfer	For Hearing Reply Filed by R-3	4.5.23
Final Hearing Matters						
20	OA611/17	Latur	Adv.S.D. Dhongde (Nagnath G Jadhav)	Deem Date Promotion	<u>Circulation</u> <u>Hon'ble</u> <u>High Court</u> <u>Bench at</u> <u>A'bad OA</u> <u>Remanded</u> <u>back for</u> <u>Fresh</u> <u>Decision in</u> <u>WP4572/19,</u> <u>30.09.2022</u>	8.6.23
21	OA884/17 with	O'bad	Adv.Mohit Deshmukh (Prabhakar D Mali) <u>Adv.Vivek Deshmukh</u> <u>for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
22	OA885/17 with	O'bad	Party In Person (Shailesh S Patil)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
23	OA886/17 with	O'bad	Adv.Mohit Deshmukh (Manisha R Kadam) <u>Adv.N.K. Tungar for</u> <u>R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
24	OA887/17 with	O'bad	Adv.Mohit Deshmukh (Sanjay V Kulkarni) <u>Adv.Abhijit More for</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23

			<u>R.No.5</u>			
25	OA888/17 with	O'bad	Adv.Mohit Deshmukh (Pratap K Kulkarni) <u>Adv.Vivek Deshmukh</u> <u>for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
26	OA889/17 with	O'bad	Adv.Mohit Deshmukh (Deepak M Gawali)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
27	OA890/17 with	O'bad	Adv.Mohit Deshmukh (Bibhishan S More)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
28	OA891/17 with	O'bad	Adv.Mohit Deshmukh (Shivaji P Kamble) <u>Adv.B.R. Sontakke Patil</u> <u>for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
29	OA892/17 with	O'bad	Adv.Mohit Deshmukh (Nagesh A Joshi) <u>Adv.Vivek Deshmukh</u> <u>for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
30	OA893/17 with	O'bad	Adv.Mohit Deshmukh (Avinash Y Deshmukh) <u>Adv.Vivek Deshmukh</u> <u>for R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
31	OA894/17 with	O'bad	Adv.Mohit Deshmukh (Bhgwat M Zingade)	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
32	OA895/17	O'bad	Adv.Mohit Deshmukh (Bharat D Salunke) <u>Adv.N.K. Tungar for</u> <u>R.No.5</u>	Time Bound Promotion/ ACPS/ Recovery	Reply Filed by R-4	7.6.23
33	OA129/19	N'bar	Adv.J.N. Patil (Tejrao B Gadekar) <u>Adv.Vaishali S</u> <u>Chaudhari for R.Nos. 3</u> <u>& 4</u>	Suspension/ Subsistence Allowance/ Salary	Reply filed by R-1 to R- 4	

34	OA376/19 with OA122/18 With OA558/18 With	J'gaon	Adv.R.P. Bhumkar (Manik T Takalkar & Ors)in OA.376/19 Adv.R.P. Bhumkar (Ramdas T Patil) in OA122/18 Adv.R.P. Bhumkar (Ganesh D Deshpande) in OA558/18	Time Bound Promotion/ ACPS/ Recovery/ Pension/ Pensionary Benefits In OA376/19 Time Bound Promotion In OA122/18 Recovery In OA558/18	Reply Filed by R-1 to R-3 in OA376/19 Reply Filed by R-1 to R-3 In OA122/18 Reply Filed by R-1 to R-7 In OA558/18	3.7.23
35	OA898/19	A'bad	Adv.K.B. Jadhav (Babu K Chavan)	Deemed Date of Promotion	Reply Filed by R-1 to R- 4	
36	OA507/20	Dhule	Adv.Suresh D Dhongde (Anil S Burkul)	Leave & Salary	Reply Filed by R-1, R-2 & R-5	21.6.23
37	OA577/20	P'bhani	Adv.K.G. Salunke (Kalidas B Chaudhari)	Transfer	Reply filed by R-1 & R- 2	
38	OA109/21	Nanded	Adv.Kakasaheb B Jadhav (Ashok D Shiradkar & Ors.)	Retiremenet Benefits	Reply Filed by R-3 & R- 4	
39	OA115/21	Latur	Adv.R. K. Khandelwal (Kadubai S Gaikwad)	Correction in Date of Birth	Reply Filed by R-1 to R- 4	6.6.23
40	OA144/21	Beed	Adv.Kakasaheb B Jadhav (Vitthal T Jadhav)	Correction In Date of Birth	Reply Filed by R-1 to R- 3	5.7.23
41	OA368/21	O'bad	Adv.K.G. Salunke (Nanda M Paul & Ors.)	Arrears of Wages	Reply Filed by R-4	Disposed of
42	OA374/21	Nanded	Adv.Avinash S Deshmukh (Pradeep K Puri)	Posting	For Further Consideration Reply Filed by R-1 & R-2	
43	OA761/21	Dhule	Adv.Avinash S Deshmukh (Pradeep B Pawar) <u>Adv.N.N. Desale for R.No.3</u>	Relieve	<u>For Further Consideration</u> Reply filed by R-1to R-3	25.7.23

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

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

Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)

Date: -03/05/2023

Time :-03:00 P.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Final Hearing Matter						
1	OA83/20	N'bar	Adv.Kakasaheb B Jadhav (Devendra I Sonar) <u>Adv.Y.M. Patil For R.No.3</u>	Pay scale/ Benefit of G.R.	<u>Part Heard</u> Reply Filed by R-1 to R-3	

Date: -03/05/2023

S.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA82/21	A'bad	Adv Amruta Paranjape- Menezes (Deepak S Zinjurde)	Arrears	For Filing Affidavit in Reply	19.6.23
2	OA612/21	Beed	Adv Suresh P Salgar (Dr. Arun B Morale) <u>Adv Promod Pisal For R- 3</u>	Transfer	For Filing Affidavit in Reply R-1 & R-2	13.6.23
3	OA777/21	A'bad	Adv.G.J. Dahad (Mohd Usman Khan Mohd, Jafar Khan)	Pension & Pensionery Benefits	For Reply	20.6.23
4	OA180/22	Jalna	Adv A B Rajkar (Deepak D Kharath)	Sanction Extraordinary Leave	For Filing Affidavit in Rejoinder	23.6.23

5	OA341/22	A'bad	Adv P D Jarare (Sahikh Shafiquedin Shaikh Ahmed)	Interest on Delayed Payment	By Way of Last Chance For Filing Affidavit in Reply	16.6.23
6	OA355/22	Nanded	Adv P P Dama/ Adv V R Kalyankar (Basveshwar J Warad) <u>Adv Shamsunder B Patil For R-2 & R-4</u>	House Rent/ Payment Allowances	For Filing Affidavit in Reply	5.7.23
7	OA455/22	Jalgaon	Adv A D Sugdare (Satalal Z Patil)	Deemd Date of Promotion	One More Last Chance For Filing Affidavit in Reply	23.6.23
8	OA505/22	Beed	Adv V B Wagh (Shaikh Nasir Shaikh Miya)	Absorption/ Benefit of Time Bound Promotion	For Filing Affidavit in Rejoinder	4.7.23
9	OA535/22	A'bad	Adv V B Wagh (Adikrao S Mane)	Benefits of T.B.P & Modified A.C.P.S	For Filing Affidavit in Rejoinder	4.7.23
10	OA612/22	P'bhani	Adv S B Solanke (Vishwananth M Tondewad)	Benefits of Old Pension Scheme	For Filing Affidavit in Reply	20.7.23
11	OA688/22	Nanded	Adv Amruta Paranjape Menezes (Ashok K Ghuge)	Recovery	Await Service	19.6.23
12	OA798/22	Nanded	Adv.K.B. Jadhav (Vitthal D Gire)	Counting of Service for Pension & Other Benefits	For Filing Affidavit in Rejoinder	4.7.23
13	OA917/22	O'bad	Adv.C.R. Thorat (Santosh P Madane)	Police Patil	Await Service	4.7.23
14	OA948/22	Dhule	Adv.V.B. Wagh (Vilas B Patil)	Benefit of G.R./ Higher Pay Scale	Await Service	4.7.23

15	OA1063/22	Dhule	Adv V B Wagh (Dr. Rahul S Hatolkar)	Recovery	For Reply	5.7.23
16	OA1066/22	Hingoli	Adv P S Dighe (Govind B Rathod)	Recovery	For Reply	30.6.23
17	OA1069/22	A'nagar	Adv.V.B. Wagh (Sachin R Shinde)	Posting	Await Service	30.6.23
18	OA1080/22	A'bad	Adv.M.R. Kulkarni (Dr. Pradnya S Jadhav)	Continuation in Service	For Filing Affidavit in Reply	11.7.23
19	OA1109/22	Nanded	Adv.J.B. Choudhary (Sanjeev R Kadam)	Deemed Date of Promotion	By Way of Last Chance For Filing Affidavit in Reply Ref Order Dtd. 13.03.2023	21.7.23
20	OA1136/22	A'nagar	Adv Vishwas B Wagh (Ramdas N Jangle)	Revision of Pension	For Filing Affidavit in Reply	
21	OA1137/22	A'nagar	Adv Vishwas B Wagh (Ravindra G Barde)	Revision of Pension	For Filing Affidavit in Reply	3.7.23
22	OA07/23	Jalna	Adv A S Deshmukh (Sonali D Haregaonkar)	Benefits of ACPS	For Reply	5.7.23
23	OA27/23	Jalna	Adv S B Jadhav (Sanjay M Vyas)	Pay Fixation/ Recovery	For Reply	11.7.23
24	OA39/23	A'bad	Adv U S Jadhav (Raju R Patil)	Leave Encashment	For Reply	3.7.23
25	OA43/23	Nanded	Adv I D Maniyar (Liyakatbi Shikh Hyder)	Family Pension	For Filing Affidavit in Rejoinder	12.7.23
26	OA66/23	A'bad	Adv A S Shelke (Bhaginath C Malikar)	Regularization	For Reply	11.7.23
27	OA71/23	A'bad	Adv Amol R Gaikwad (Dattatrya D Sonune)	Minor Punishment	For Reply	12.7.23
28	OA106/23	A'bad	Adv D R Irale Patil (Mohammad Fiaz Mh Ibrahim) Adv K S Solanke For	Interest on Delayed Payment	For Reply	12.7.23

29	OA119/23	Beed	Adv Milind Patil (Dr. Arvind N Bagate)	Transfer	For Filing Affidavit in Reply	21.6.23
30	OA143/23	Nanded	Adv S S Thombre (Dwarkadas G Chikhalikar)	Transfer	For Filing Affidavit in Reply	16.6.23
31	OA156/23	Latur	Adv S B Solanke (Anand B Karnawat)	Transfer/ Posting	For Reply	18.7.23
32	OA290/23	A'bad	Adv.K.M. Nagarkar (Popat L Bale)	Absotption	Await Service R-2	7.7.23
33	OA316/23	Dhule	Adv.S.D. Joshi <u>Leave Note Filed by</u> <u>Adv S D Joshi on</u> <u>24.04.2023 to 03.05.2023</u> (Abhijit V Deshpande)	Suspension	Reply Filed By R- 1 to R- 3	4.5.23
Order Matters						
34	MA102/21 In OAS458/21	A'bad	Adv N P Dube (Ashok N Jire)	MA for Condonation of delay	For Filing Affidavit in Rejoinder	10.7.23
35	MA194/22 In OAS616/22	Nanded	Adv.R.A. Joshi/ Adv.D.M. Shinde (Sunil D Kakade)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	10.7.23
36	MA303/22 In OAS708/22	Nanded	Adv.S.M. Kamble (Nagnath M Adamankar)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	11.7.23
37	MA86/23 In OAS347/23	Jalgaon	Adv Rahul Dhase (Nana T Ware)	M.A For Condonation of Delay	For Reply	5.6.23
38	MA394/19 In OAS1674/19	Dhule	Adv Amruta Paranjape- Menezes (Bhaskar K Shinde)	M.A For Condonation of Delay	As a Last Chance For Filing Affidavit in Reply	19.6.23

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

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

Before: - THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -03/05/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
22	OA963/17	A'bad	Adv.Avinash S Deshmukh (Vasant D Karke & Ors.)	Not to Terminate the Service/ Regularisation/ Continue in Service	For Hearing Reply filed by R-1 to R-4	7.7.2023
23	OA42/18	A'bad	Adv.R.N. Bharaswadkar (Tukaram P Bondre)	Seniority/ Promotion	For Hearing Reply Filed by R-3	7.7.2023
24	OA360/19	A'bad	Adv.Ajay Deshpande (Dr.Atul A Deshmukh)	Termination	For Hearing	7.7.2023
25	OA625/19	Nanded	Adv.M.D. Narwadkar (Dattatrya N Shastri)	Selection	For Hearing	10.7.2023
26	OA40/20	A'bad	Adv.R.J. Nirmal (Shankar P Dange)	Promotion/ Appointment	For Hearing	10.7.2023
27	OA81/20	O'bad	Adv.S.B. Solanke (Sudarshan N Shinde)	Seniority/ Promotion	For Hearing Reply Filed by R-1 to R-4	22.6.2023
28	OA125/20	Nanded	Adv.Shmbhuraje V Deshmukh (Venkati B Pawar)	Appointment	For Hearing Reply Filed by R-1 & R-4	10.7.2023
29	OA135/20	Latur	Adv.Vinod M Vibhute (Santosh V Suryawanshi)	Seniroyty	For Admission	10.7.2023
30	OA383/20	Hingoli	Adv.Omprakash Y Kashid (Sachin D Maingdale)	Departmental Enquiry	For Admission Reply Filed by R-3 to R-6	10.7.2023

31	OA150/21	P'bhani	Adv.Kakasaheb B Jadhav (Mayur P Chavan)	Termination	For Hearing Reply Filed by R-2 to R-6	11.7.2023
32	OA305/21	Dhule	Adv.Avinash S Deshmukh (Devidas G Nandgaonkar)	Promotion	For Hearing	11.7.2023
33	OA623/21	P'bhani	Adv.Preeti R Wankhade (Mehboobali Y Khan Pathan)	Promotion	For Hearing Reply Filed by R-2 to R-3	11.7.2023
34	OA688/21	A'bad	Adv.Santosh S Dambe (Eknath B Parmeshwar)	D.E./ Punishment	For Admission	11.7.2023
35	OA716/21 With	Hingoli	Adv.Suchita A Dhongde (Navin J Sharma)	Reversion	For Hearing Reply Filed by R-2 & R-3	11.7.2023
36	OA717/21 With	Hingoli	Adv.Suchita A Dhongde (Meena V Shinde)	Reversion	For Hearing Reply Filed by R-2 & R-3	9.6.2023
37	OA718/21 With	Hingoli	Adv.Suchita A Dhongde (Gajanan B Aundhekar)	Reversion	For Hearing Reply Filed by R-2 & R-3	
38	OA719/21	Hingoli	Adv.Suchita A Dhongde (Khanderao N Pote)	Reversion	For Hearing Reply Filed by R-2 & R-3	
39	OA731/21	Dhule	Adv.Kakasaheb B Jadhav (Sunil L Mali)	Dismissal From Service	For Hearing Reply Filed by R-1 to R-4	
40	OA797/21	Jalna	Adv.A.S. Khedkar (Ranjana D Jaybhaye)	Selection/ Implement the G.R.	For Hearing Reply Filed by R-3	12.6.2023
41	OA816/21	Nanded	Adv.V.B. Dhage (Ramkisan J Nampalle & Ors.)	Seniority List- Kotwal	For Hearing Reply Filed by R-1 & R-2	12.7.2023
42	OA16/22	Nanded O'bad	Adv.Avinash S Deshmukh (Vd. Piyush K Gandhi & Ors.) <u>Adv.M.R. Kulkarni for R.Nos.4 to 7</u>	Seniority	For Hearing Reply Filed by R-1 to R-7	21.6.2023

43	OA64/22	Nanded	Adv.Avinash S Deshmukh (Bhimrao K Gaikwad)	Promotion	For Hearing	21.6.2023
44	OA93/22	A'bad	Adv.Avinash S Deshmukh (Vidya S Sudane)	Promotion	For Admission	21.6.2023
45	OA181/22	Nanded	Adv.V.B. Wagh (Sahebrao B Chavhan)	Appointment	For Hearing Reply filed by R-3	7.7.2023
46	OA293/22	A'nagar	Adv.V.B. Wagh (Adinath S Ghanwat)	Promotion	For Hearing	7.7.2023
47	OA302/22	P'bhani	Adv.V.B. Wagh (Rupali P Rangari)	Departmental Enquiry	For Admission Reply Filed by R-1	7.7.2023
48	OA390/22	Nanded	Adv.Rahul R Karpe (Rajdeepsingh G Sardar)	Promotion	For Hearing Reply Filed by R-1 to R-3	23.6.2023
49	OA490/22	Latur	Adv.R.P. Bhumkar (Satish L Gaikwad)	Examination	For Admission Reply Filed by R-3	23.6.2023
50	OA670/22	Jalna	Adv.V.B. Wagh (Dr.Rajeshree Nirmal Agarwal)	Termination/ Continuation of Service	For Hearing Reply Filed by R-1 to R-4	30.6.2023
51	OA1098/22	N'bar	Adv.N.L. Chaudhari (Dr. Kishor S Agale)	Challenging Clause of G.R.	For Hearing	15.6.2023
52	OA271/23	A'nagar	Adv.A.S. Deshpande (Anil S Chavan)	Selection Process (MPSC- Debar)	Additional Affidavit Filed	4.5.2023
Final Hearing Matters						
53	OA899/17	O'bad	Adv.G.C. Khond/ Adv.G.N. Khanzode (Dr.Vandana S Shinde) <u>Adv.Gunratn Sadavarte/</u> <u>Adv.Jayshri Patil/</u> <u>Adv.Ramdas Gaikwad for</u> <u>R.No.4</u>	Seniority	Reply Filed by R-1 to R-3	10.7.2023

54	OA774/18 With	O'bad	Adv.Manish P Tripathi (Narayan D Nagtilak)	Seniority/ Promotion	Reply filed By R-2	10.7.2023
55	OA777/18	O'bad	Adv.Manish P Tripathi (Suhas S Jewalikar)	Seniority list/ Promotion	Reply filed By R-2	10.7.2023
56	OA647/19	A'bad	Adv.Avinash S Deshmukh (Balasaheb T Deshmukh)	Promotion	Reply Filed by R-1 & R-2	17.7.2023
57	OA787/19	J'gaon	Adv.Avinash S Deshmukh (Laxman P Huse)	Selection	Reply Filed by R-1 to R-3	17.7.2023

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

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

Before: - **THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)**

Date: -03/05/2023

Time :- 03:00

P.M.

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matter						
1	OA768/19	Nanded	Adv.Avinash S Deshmukh (Balasaheb T Deshmukh)	Departmental Enquiry	<u>As Per Ref.Order</u> <u>dtd.10.04.2023</u> Re Hearing Part Heard Reply Filed by R-1 & R-2	21.6.2023

Date: -03/05/2023

D.B. For Reply Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP17/22 In OA06/21	A'nagar	Adv Kakasaheb B Jadhav (Dattu R Raut)	Contempt Petition	For Filing Affidavit in Rejoinder	7.7.2023

2	CP35/22 In OA697/19	A'bad	Adv Kakasaheb B Jadhav (Shobha B Khade)	Contempt Petition	For Filing Affidavit in Rejoinder	7.7.2023
3	OA892/18 With	A'bad	Adv S S Thombre (Dhananjay D. Chandodkar& Ors.)	Discharge from Service	Final Chance For Filing Affidavit in Rejoinder	19.6.2023
4	OA901/18	Beed	Adv S S Thombre (Bhagwat S. Somase)	Termination	Final Chance For Filing Affidavit in Rejoinder	
5	OA547/22	P'bhani	Adv Amol B Chalak (Ganesh S Chavan)	Examination/ Eligibility/ Select List	As a Last Chance For Filing Affidavit in Reply R-1 & R-3	14.6.2023
6	OA637/22	J'gaon	Adv A B Rajkar (Vishal G Bochara)	Termination	For Filing Affidavit in Rejoinder	30.6.2023
7	OA661/22	J'gaon	Adv Suchita Dhongde (Dilip S Taru)	Supernumery Post	For Filing Affidavit in Reply	14.06.2023
8	OA747/22 with	A'bad	Adv.Jayant S Deshmukh (Dr. Sanjot G Giri) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	As a Last Chance For Filing Affidavit in Reply R-1	16.6.2023
9	OA748/22 with	Latur	Adv.J.S. Deshmukh (Drf.Abhijeet M Yadav) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	As a Last Chance For Filing Affidavit in Reply R-1	
10	OA769/22 with	Nanded	Adv.J.S. Deshmukh (Dr.Omprasad B Damkondwar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	Reply Filed By R- 1	
11	OA749/22 with	A'bad	Adv.V.S. Kadam (Dr.Sphoorti P Bende) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	As a Last Chance For Filing Affidavit in Reply R-1	
12	OA750/22 with	A'bad	Adv.V.S. Kadam (Dr.Pragati S Kadam) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	As a Last Chance For Filing Affidavit in Reply R-1	

13	OA751/22 with	A'bad	Adv.V.S. Kadam (Dr.Dipti K Bhagat) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	As a Last Chance For Filing Affidavit in Reply R-1	
14	OA777/22 with	J'gaon	Adv.V.S. Kadam (Dr.Shital S Patil) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	As a Last Chance For Filing Affidavit in Reply R-1	
15	OA778/22 with	Latur	Adv.V.S. Kadam (Dr.Sharada U Sonkhedkar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	As a Last Chance For Filing Affidavit inReply R-1	
16	OA787/22 with	Nanded	Adv.V.S. Kadam (Dr.Krishna T Pawar) <u>Adv M B Kolpe For R. No.3</u>	Interview (M.P.S.C.)	As a Last Chance For Filing Affidavit in Reply R-1	
17	OA788/22 with	Beed	Adv.V.S. Kadam (Dr.Vaibhav V Deshmukh) <u>Adv M B Kople For R. No.3</u>	Interview	As a Last Chance For Filing Affidavit in Reply R-1	
18	OA796/22 with	O'bad	Adv.V.S. Kadam (Dr.Amol A Kapse) <u>Adv M B Kople For R. No. 3</u>	Interview (M.P.S.C.)	As a Last Chance For Filing Affidavit in Reply R-1	
19	OA803/22 with	A'bad	Adv.A.D. Sugdare (Dr Syeda Muneza Nasusheen Mohammad Ali) <u>Adv M B Kolpe For R. No.3</u>	Interview	As a Last Chance For Filing Affidavit in Reply R-1	
20	OA790/22 with	A'bad	Adv.A.S. Deshmukh (Dr.Pravin G Ranvir) <u>Adv M B Kolpe For R.No. 2</u>	Selection Process	Reply Filed By R- 1	
21	OA791/22	Latur	Adv.Vikrant S Valse (Rajshekhhar L Mengule) <u>Adv.M.B. Kolpe for R.No.2</u>	Selection Process/ Interview	As a Last Chance For Filing Affidavit in Reply R-1	
22	OA782/22	A'nagar	Adv Amol R Gaikwad (Bhausahab A Shelke)	Termination	For Filing Affidavit in Reply	19.6.2023
23	OA784/22	Dhule	Adv Avinash S Khedkar (Jitesh P Wagh) <u>Adv S S Thombre For R- 9</u>	Selection Process	As a Last Chance For Filing Affidavit in Reply R-1 to R-3	14.6.2023

24	OA821/22	Latur	Adv.Jayant S Deshmukh (Dr.Sonali B Totod) <u>Adv M B Kolpe For R-3</u>	Interview	As a Last Chance For Filing Affidavit in Reply R- 1 & R-2	16.6.2023
25	OA822/22	Beed	Adv.Jayant S Deshmukh (Dr. Jyoti A Dawale) <u>Adv M B Kolpe For R-3</u>	Interview	As a Last Chance For Filing Affidavit in Reply R- 1 & R-2	16.6.2023
26	OA 838/22	Nanded	Adv.Anant D. Sugdare (Dr.Shrikant S. Shingarwad) <u>Adv M B Kolpe For R-2</u>	Interview	As a Last Chance For Filing Affidavit in Reply R- 1	16.6.2023
27	OA 839/22	A'bad	Adv.Anant D.Sugdare (Dr.Gorkh V. Suramwad) <u>Adv M B Kolpe For R-2</u>	Interview	As a Last Chance For Filing Affidavit in Reply R- 1	16.6.2023
28	OA1083/22	N'bar	Adv Talekar & Associates (Santosh R Shirsat & Ors.)	Challenging G.R.	For Filing Affidavit in Reply	20.6.2023
29	OA02/23	A'bad	Adv.S.D. Joshi <u>Leave Note Filed by Adv. S D Joshi on 24.04.2023 & 03.05.2023</u> (Mushtaque Sikandar Shaikh)	Compulsory Retirement (Major Punishment)	For Filing Affidavit in Rejoinder	6.7.2023
30	OA06/23	Dhule	Adv.V.B. Wagh (Pandurang G Lomole)	Promotion	For Filing Affidavit in Rejoinder	7.7.2023
31	OA69/23	Beed	Adv.P.D. Jarare (Maharashtra Rajya Janarogya Karmachari Mahasangh, Through its Secretary, Khanderao R Chilgar)	Challenging Amendment in Recruitment Rules	For Reply	7.7.2023
32	OA103/23	A'bad	Adv.S.R. Patil (Shrikrishna N Nakate)	Departmental Enquiry	For Filing Affidavit in Reply	7.7.2023
33	OA192/23	A'bad	Adv.Gaurav Deshpande (Yogesh S Swami & Ors.)	Selection Process (MPSC)	For Reply	4.5.2023
34	OA201/23	J'gaon	Adv Sandeep R Andhale (Sharad S Borse)	Promotion	For Reply	16.6.2023
Order Matters						
35	MA205/21 In OAST2467/19	A'bad	Adv M M Bhokarikar (Vijaykumar B Rathi)	M.A. For Delay Condonation	For Filing Affidavit in Reply	7.7.2023

36	MA496/22 In OAST1939/22	A'bad	Adv.Talekar & Associates (Manjusha R Jadhav & Ors.) <u>Adv.S.K. Patil for R.No.4</u> <u>Adv.Anant</u> <u>Devakate/Adv.K.B. Jadhav</u> <u>For R.Nos.6 & 7</u>	M.A. For Condonation of Delay	As a Last Chance For Filing Affidavit in Reply R-2 & R-3 in M.A	20.6.2023
37	MA161/23 In OA616/22	Beed/ Pune	Adv A S Khedkar (Abhijit T Pore)	MA For Adding Party As Applicant	As a Last Chance For Filing Affidavit in Reply R- 1 to R-3	16.6.2023

DATE : 03.05.2023

ORIGINAL APPLICATION NO. 359 OF 2023

(Pravin B. Gaikwad Vs. The State of Maha. & Ors.)

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

1. Shri S.B. Solanke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **13.06.2023**. The case be listed for admission hearing on **13.06.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Kpb/ Registrar notice

C.P. No. 29/2023 in O.A. No. 876/2016
(Anirudh R. Gavhane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

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

2. Issue notices to the respondents in C.P., returnable on 06.06.2023.

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 06.06.2023.

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

MEMBER (A)

ORIGINAL APPLICATION NO. 547 OF 2022
(Ganesh S. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri A.B. Chalak, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent Nos. 1 & 3.

3. S.O. to 14.06.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 661 OF 2022
(Dilip S. Taru Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita Dhongde, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 14.06.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 340 OF 2023
(Gangadhar L. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri S.A. Deshmukhar, learned Advocate holding for Shri M.D. Godhamgaonkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 16.06.2023.
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 16.06.2023.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION ST. NO. 660 OF 2023
(Rajkumar N. Bhotkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri Shrimant Mundhe, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Record shows that the learned Advocate for the applicant has been advised by oral order dated 20.04.2023 to submit copy of notification by which Maharashtra Jeevan Pradhikaran has been brought under the jurisdiction of this Tribunal. It is especially so as the applicant in the present matter is employee of Maharashtra Jeevan Pradhikaran.

3. However, learned Advocate for the applicant has not been able to place on record any such notification.

4. Learned P.O. responded by stating that in these circumstances, the present matter is not maintainable without complying the office objection/s of this Tribunal.

5. In view of above, learned Advocate for the applicant seeks permission to withdraw the present O.A. with liberty to take alternate remedy before the appropriate competent authority.

6. Liberty as prayed for by the applicant is granted. The O.A. stands disposed of as withdrawn with liberty to seek relief before the appropriate forum. No order as to costs.

MEMBER (A)

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

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicants placed on record a copy of order dated 18.04.2023 passed in W.P. No. 4352/2023. Same is taken on record.

3. At the request of learned Advocate for the applicants, S.O. to 04.05.2023.

MEMBER (A)

M.A. No. 219/2023 in O.A. St. No. 734/2023
(Khanderao V. Pandhare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant seeks permission to correct the father's name of the applicant in synopsis of O.A. and index & list of documents in M.A. and O.A.

3. Leave as prayed for by the applicant is granted. The applicant shall carry out the necessary correction forthwith ensuing that correction so applied tallies with the father's name mentioned on educational certificate and appointment order of the applicant in respect of the present employment.

4. Issue fresh notices to the respondents in M.A., returnable on 26.06.2023.

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

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6. 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.

7. 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.

8. 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.

9. S.O. to 26.06.2023.

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

MEMBER (A)

M.A. No. 79/2021 in O.A. St. No. 288/2021
(Pralhad V. Fiske Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri H.D. More, learned Advocate for the
applicant and Shri S.K. Shirse, learned Presenting
Officer for the respondent authorities.

2. S.O. to 07.07.2023 for hearing.

MEMBER (A)

KPB ORAL ORDERS 03.05.2023

M.A. No. 35/2023 in O.A. No. 812/2022
(Ganesh G. Zagade & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri K.G. Gaikwad, learned Advocate for the applicants / intervenors in the present M.A. (**Absent**). Heard Shri P.D. Jarare, learned Advocate for the applicant in O.A. and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply in O.A.

3. S.O. to 15.06.2023 for hearing.

MEMBER (A)

M.A. No. 189/2023 in O.A. No. 33/2022
(Vitthal N. Kokulwar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

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

2. At the request of learned Advocate for the
applicant, S.O. to 04.05.2023.

MEMBER (A)

KPB ORAL ORDERS 03.05.2023

M.A. No. 190/2023 in O.A. No. 34/2022
(Sachin D. Shrimanwar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for
the applicant and Shri N.U. Yadav, learned
Presenting Officer for the respondent authorities.

2. At the request of learned Advocate for the
applicant, S.O. to 04.05.2023.

MEMBER (A)

KPB ORAL ORDERS 03.05.2023

ORIGINAL APPLICATION NO. 271 OF 2023
(Anil S. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 04.05.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 1083 OF 2022
(Santosh R. Shirsat & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 20.06.2023 for filing rejoinder affidavit. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 559 OF 2021
(Swapnil P. Holkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

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

2. S.O. to 15.06.2023. **High on board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 69 OF 2023
(Maharashtra Rajya Janarogya Karmachari Mahasangh Vs. State
of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri P.D. Jarare, learned Advocate for
the applicant and Shri M.S. Mahajan, learned Chief
Presenting Officer for the respondent authorities.

2. At the request of learned C.P.O., time is
granted for filing affidavit in reply on behalf of
respondents.

3. S.O. to 15.06.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 93 OF 2019
(Priyanka J. Janephalkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 12.06.2023 for hearing. **High on board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 252 OF 2022
(Dr. Sudhir V. Bhise Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

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

2. Learned Advocate for the applicant placed on record a copy of Government Circular dated 15.09.2017. Same is taken on record and copy thereof has been served on the other side.

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

4. S.O. to 14.06.2023. **High on board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 677 OF 2022
(Ambrish K. Bhusane & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for
the applicants and Shri M.P. Gude, learned
Presenting Officer for the respondent authorities.

2. S.O. to 09.06.2023 for hearing. **High on
board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 347 OF 2023
(Baban R. Zagade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. At the request of learned Advocate for the applicant, S.O. to 04.05.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 355 OF 2019
(Nangesh N. Unche and Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri D.R. Irale Patil, learned Advocate for the applicants, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri Ajay Deshpande, learned Advocate for respondent Nos. 3 to 5.

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

3. S.O. to 15.06.2023. **High on board.**

MEMBER (A)

O.A. Nos. 759/2021, 21/2022 and 639/2022
(Ashwini A. Wavhal & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard S/shri A.V. Thombre and A.B. Chalak,
learned Advocates for the respective applicants in
respective O.As. and Shri M.P. Gude, learned
Presenting Officer for the respondent authorities in
all these O.As.

2. S.O. to 16.06.2023 for hearing. **High on
board.**

MEMBER (A)

ORIGINAL APPLICATION NO. 84 OF 2020
(Chunilal M. YVs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri R.R. Wakekar, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 19.06.2023 for hearing. **High on board.**

MEMBER (A)

C.P. No. 17/2022 in O.A. No. 06/2021
(Dattu R. Raut Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri K.B. Jadhav, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Advocate for the applicant, time is granted as a last chance for filing rejoinder affidavit, if any.

3. S.O. to 07.07.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 103 OF 2023
(Shrikrishna N. Nakate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

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

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

3. S.O. to 07.07.2023 for filing rejoinder affidavit.

MEMBER (A)

O.A. No. 892/2018 with O.A. No. 901/2018
(Dhananjay D. Chandodkar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in both the O.As. and Smt. Sanjivani K. Deshmukh-Ghate & Deepali S. Deshpande, learned Presenting Officers for the respondent authorities in respective O.As.

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed on behalf of the applicants in both the O.As. Hence, the present matters will proceed further without rejoinder affidavit of the applicants in accordance with law.

3. S.O. to 19.06.2023 for admission. Interim relief granted earlier in O.A. No. 892/2018 to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 821 OF 2022
(Dr. Sonali B. Totod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned Advocate for respondent No. 3.

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

3. S.O. to 16.06.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 822 OF 2022
(Dr. Jyoti A. Dawale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned Advocate for respondent No. 3, are present.

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

3. S.O. to 16.06.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 838 OF 2022
(Dr. Shrikant S. Shingarwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri R.R. Wakekar, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned Advocate for respondent No. 2, are present.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 16.06.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 839 OF 2022
(Dr. Gorakh V. Suramwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri R.R. Wakekar, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri M.B. Kolpe, learned Advocate for respondent No. 2, are present.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 16.06.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 784 OF 2022
(Jitesh P. Wagh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri Avinash Khedkar, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for respondent No. 9, are present. None present on behalf of respondent Nos. 4 to 8, 10 & 11, though duly served.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

3. S.O. to 14.06.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 782 OF 2022
(Bhausahab A. Shelke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri A.R. Gaikwad, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 19.06.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

O.A. No. 616/2022 with M.A. 161/2023
(Seema A. Shaikh and Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Shri Avinash Khedkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. None present on behalf of respondent Nos. 4 to 11, though duly served.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent Nos. 1 to 3.

3. S.O. to 16.06.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

M.A. No. 496/2022 in O.A. St. No. 1939/2022
(Manjusha R. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for respondent Nos. 6 & 7, are present. Shri S.K. Patil, learned Advocate for respondent No. 4, is **absent**. None present on behalf of respondent No. 5, though duly served.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent Nos. 2 and 3 in M.A.

3. S.O. to 20.06.2023.

MEMBER (A)

M.A. No. 205/2021 in O.A. St. No. 2467/2019
(Vinaykumar B. Rathi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

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

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

3. S.O. to 07.07.2023.

MEMBER (A)

O.A. Nos. 747, 748, 769 749, 750, 751, 777, 778, 787, 788, 796, 803, 790 & 791 all of 2022
(Dr. Sanjot G. Giri & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard S/shri R.R. Wakekar, learned Advocate holding for Shri A.D. Sugdare, J.S. Deshmukh, V.S. Kadam, S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, Saket Joshi, learned Advocate holding for Avinash Desmukh, V.S. Valse, learned Advocates for the respective applicants in respective O.As., Shri M.P. Gude and S.K. Shirse, learned Presenting Officers for the respondent authorities in respective O.As. and Shri M.B. Kolpe, learned Advocate for respondent No. 2 in O.A. No. 790/2022, for respondent Nos. 2 & 4 in O.A. No. 791/2022 and for respondent No. 3 in other O.As.

2. At the request learned P.O., time is granted as one more last chance for filing affidavit in reply on behalf of respondent No. 1 in all these O.As. except O.A. Nos. 790 & 769 both of 2022.

3. S.O. to 16.06.2023. Interim relief granted earlier, if any to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 201 OF 2023
(Sharad S. Borse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri S.R. Andhale, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant upon being asked, submitted that no person junior to the applicant is likely to be adversely affected, even if the prayer for relief made by the applicant is granted. Therefore, the applicant is not positive to adding any private party as party respondents.

3. The learned Advocate for the applicant has prayed for interim relief in following terms :-

“16. INTERIM RELIEF PRAYED FOR:

(A) The Hon'ble Tribunal be pleased to direct the respondent to promote the applicant for the post of Maharashtra Agriculture Service Group- A, on the basis of the seniority list dated 1.1.2022.

(B) Pending hearing and final disposal of Original Application, the Hon'ble Tribunal be pleased to grant stay to the execution, operation and implementation of the impugned order/letter/list dated 28.02.2023 till final decision of this Original Application;

(C) Pending hearing and final disposal of Original Application, the Hon'ble Tribunal be pleased to direct the respondent to give effect and deemed date promotion to the applicant for the post of Maharashtra Agriculture e

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Service Group- A, on the basis of the seniority list dated 1.1.2022.

(D) Pending hearing and final disposal of Original Application, respondents are not issue any promotional order on post of Maharashtra Agriculture Service Group- A, on the basis of the seniority list dated 1.1.2022 to the other equivalent as well as junior employees as per the list dated 28.2.2023;

(E) Pending hearing and final disposal of Original Application, one post be vacant in Nashik Division on post of Maharashtra Agriculture Service Group- A, as per the list/G.R. dated 28.2.2023 and please to the name of applicant in the list/G.R. dated 28.2.2023;

(F) Ad-interim relief it term of prayer clause (A) to (E).”

4. It is noticed that the applicant has made representation to the respondent Nos. 1 and 2 on 02.03.2023 through post/email and hurriedly filed the present O.A. on 08.03.2023, which is not a good practice.

5. As the applicant has specifically prayed for keeping one post vacant for the applicant in Nashik Division, if has been clarified to the applicant that the present O.A. cannot influence allocation of Revenue Division at this stage in anticipation that the applicant is going to succeed. Moreover, in case, the Tribunal arrives at conclusion that the process of granting promotion as adopted by the respondent authorities, suffers from any fatal infinity then the remedy will be available to all as per correct procedure including correct seniority cum merit position of all the candidates. No seat can be reserved for any applicant excluding any more meritorious candidate, who is found to be eligible for priority promotion.

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6. After considering all the facts in the matter, I am of the considered opinion that the respondent authorities may go ahead while promotion to the post of Maharashtra Agriculture Service, Group-A as per rules which will be subject to outcome of this O.A.

7. Interim relief prayed for in terms of keeping one post vacant over and above two posts already kept vacant, which gives wrong impression of the vacant post being kept reserved for the respective applicant, to absolute exclusion of any more meritorious candidate falling in the zone of consideration. Therefore, in my opinion, there is no merit in keeping one post vacant against each original applicant.

8. Therefore, interim relief in following term only is being granted :-

“The promotion order issued by respondents shall be subject to outcome of the present Original Application.”

9. Time is granted as a last chance to the respondents to file affidavit in reply, failing which the matter may be finally heard without the same.

10. S.O. to 16.06.2023.

MEMBER (A)

M.A. No. 213/2023 in O.A. No. 425/2020
(Sachin U. Shinde & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri S.V. Natu, learned Advocate for the applicants, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri M.B. Bharaswadkar, learned Advocate for respondent Nos. 2 to 7 & 11.

2. The crux of the matter is regarding applicability of rule 7 of the Maharashtra Forest Services, Group-B (Recruitment Rules) 1997 notified on 06.04.1998 and validity of seniority list prepared based on joining after completion of training. In the meantime, this Tribunal had decided in O.A. No. 576/2015, by order dated (not mentioned in the present O.A.) that the date of joining of training of candidate of the post of RFO shall be considered as service period. There is yet another O.A. No. 195/2016 decided by Principal Seat of this Tribunal on 12.07.2017. Following which the respondent No. 1 issued G.R. dated 14.08.2018 which is at page No. 37 of paper book, marked as Exhibit-C1. Effect of MCS (Regulation of Seniority) Rules, 1982 to the

//2//

extent of its applicability in the present matter is yet another aspect to be considered.

3. The learned Advocate for the applicant has preferred that the issue of interim relief may be decided by the Division Bench and any interim relief granted in terms that the respondent authorities may go ahead with promotion to the post of DCF by strict application of Rule 7 of the Maharashtra Forest Service, Group-B, (Recruitment), Rules 1998, MCS (Regulation of Seniority) Rules, 1982 and the order passed by this Tribunal in respect of issue under dispute may defeat the purpose of filing the present Original Application.

4. In view of above fact, matter may be placed before the D.B.

5. S.O. to 04.05.2023 for hearing.

MEMBER (A)

ORIGINAL APPLICATION NO. 728 OF 2013
(Prashant N. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single Bench
due to non-availability of Division Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities. None present for respondent Nos. 3 to 23.

2. Learned Advocate for the applicants placed on record three documents in the form of promotion order, by which the applicant Nos. 1, 2 and 4 have already been promoted to the post, which covers the relief prayed for previously and the applicant No. 3 had already been retired. Learned Advocate for the applicants has orally submitted that there is no outstanding grievance for respondent No. 3. The said documents are taken on record and copies thereof have been served on the other side. It has also been submitted on behalf of the applicants that now the present O.A. has become infructuous and the same may be disposed of.

3. Learned P.O. consents to the above-said proposition made by learned Advocate Shri Saket Joshi.

4. In view of this, the O.A. stands disposed of as being infructuous, without any order as to costs.

MEMBER (A)

ORIGINAL APPLICATION NO. 192 OF 2023
(Yogesh S. Swami & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri G.L. Deshpande, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. At the request of learned Advocate for the applicants, S.O. to 04.05.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 93 OF 2022
(Vidya S. Sudame Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 21.06.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 64 OF 2022
(Bhimrao K. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. S.O. to 14.06.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 16 OF 2022
(Piyush K. Gandhi and Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicants, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri M.R. Kulkarni, learned Advocate for respondent Nos. 4 to 7.

2. S.O. to 21.06.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

ORIGINAL APPLICATION NO. 338 OF 2023
(Sachin U. Shinde and Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Bijay Kumar, Member (A)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 03.05.2023

ORAL ORDER :

Heard Shri S.V. Natu, learned Advocate for the
applicants and Shri V.R. Bhumkar, learned
Presenting Officer for the respondent authorities.

2. S.O. to 04.05.2023.

MEMBER (A)

ORIGINAL APPLICATION NO. 777/2021

(Mohd. Usman Khan Mohd. Jafar Khaan Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

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

2. Affidavit in reply is not filed despite due opportunities given.

3. List the matter for hearing on 20.6.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 3.5.2023

ORIGINAL APPLICATION NO. 119/2023
(Dr. Arvind N. Bagate Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Shri Dhananjay Mane, learned counsel holding for Shri Milind Patil, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Affidavit in reply is not filed despite availing due opportunities.
3. List the matter for hearing on 21.6.2023.
4. The Interim Relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1063/2022
(Dr. Rahul Hatolkar Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. On request of learned Presenting Officer last chance is granted till 5.7.2023 for filing affidavit in reply.

VICE CHAIRMAN

ARJ ORAL ORDER 3.5.2023

ORIGINAL APPLICATION NO. 1109/2022
(Shri Sanjeev R. Kadam Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Shri P.R. Bodhade, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. The learned Chief Presenting Officer has tendered across the bar the affidavit in reply on behalf of the respondent nos. 1 to 3. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. List the matter for hearing on 21.7.2023. It is open for the applicant to file rejoinder affidavit if he so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 27/2023
(Shri Sanjay Vyas Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Shri S.B. Jadhav, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Chief Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar the affidavit in reply on behalf of the respondents. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. List the matter for hearing on 21.7.2023. It is open for the applicant to file rejoinder affidavit if he so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 290/2023
(Shri Popal Bale Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

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

2. The learned counsel for the applicant submits that respondent no. 2, who is private party, has refused to accept the notice sent by R.P.A.D. and envelope received with that remark is annexed with the service affidavit. In view of the same it can be safely inferred that respondent no. 2 is duly served. The learned Chief Presenting Officer has sought time to file the affidavit in reply. Time granted.

3. S.O. to 7.7.2023.

VICE CHAIRMAN

M.A.NO. 215/2023 IN O.A. ST. NO. 522/2023
(Shri Balasaheb S. Gawali Vs. State of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

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

2. Issue notice to respondents in the M.A., returnable on 13.7.2023.

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 13.7.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 345/2023
(Shri Uttam G. Nikam Vs. State of Maharashtra & Ors.)**

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

DATE : 3.5.2023

ORAL ORDER :

Heard Shri Ashish B. Rajkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 13.7.2023.
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 13.7.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 758/2023
(Bharti V. Raut Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

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

2. The office has raised an objection about the limitation. The Original Application is filed with the following prayer :-

“B) The respondent No. 2 and 3 be directed to consider the claim of the applicant for considering temporary period since 1999 and proposal forwarded by respondent no. 4 on 30.4.2017 may kindly be decided within a stipulated period and give the benefits attached to the post of applicant.”

3. Since the Original Application has not been filed within the period as prescribed U/s 19 of the Administrative Tribunals Act, 1985 the office has raised objection. According to the learned counsel said proposal was not considered for the reason that Review filed against the decision in Writ Petition No. 9993/2012 dated 22.7.2014 was pending. However, there is no document filed or averment made in that record. The delay is apparent on the face of record. The objection

::-2-::

O.A. ST. NO. 758/2023

raised by the Office, therefore, sustained. The applicant may therefore file Misc. Application for condonation of delay caused in filing the present Original Application if he so desires, else the O.A. will be dismissed.

VICE CHAIRMAN

ARJ ORAL ORDER 3.5.2023

ORIGINAL APPLICATION NO. 612/2021
(Dr. Arun B. Morale Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Shri S.P. Salgar, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. The learned P.O. has sought time for filing the affidavit in reply on behalf of respondent nos. 1 & 2. Time granted.

3. S.O. to 13.6.2023.

4. The Interim Relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 255/2022
(Shri Namdeo V. Agashe & Ors. Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Heard Shri V.G. Pingle, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. It is the case of the applicant no. 1 that his deceased father namely Vyankat Sopanrao Agashe was in the employment of Forest Department as Vanmajoor and since he worked in the period between 1.11.1989 to 31.10.1994 for 240 days in every year was entitled to be absorbed in the Government service and was also entitled for the benefit arising out of his absorption. Vyankat Agashe died in the year 2011 and till that period though he was also making efforts for his regularization, as well as, release of the arrears of his wages, the same could not be paid. Thereafter the present applicants i.e. son and wife of the deceased have prosecuted the matter further.

3. The learned counsel for the applicants pointed out that the respondents have principally agreed entitlement of the applicant and accordingly a proposal was also

forwarded. The learned counsel submitted that in the consolidated proposal already forwarded by the respondents the name of the deceased Vyankat Agashe was there, however, against his name amount was remained to be mentioned and therefore, the deceased Vyankat Agashe could not get the said amount. The learned counsel pointed out that on 15.3.2007 the Additional Chief Conservator of Forest, Nagpur has forwarded the proposal to the State Government i.e. to the Principal Secretary (Forest), Revenue & Forest Department and the same has not yet been considered by the respondents. The learned counsel, in the circumstances, prayed for direction to the respondents to decide the said proposal within the time bound manner and accordingly if the deceased is found entitled to remit the benefit also in the time bound manner.

4. The learned Presenting Officer reiterated the contentions raised in the affidavit in reply. In the reply it is contended that the policy decision was taken in the year 2012 and since the deceased Vyankat Agashe i.e. father/husband of the present applicants was not alive in the said year, there was no question to give benefit of 2012 Government Resolution to the applicants.

::-3-::

O.A. NO. 255/2022

5. The say as has been submitted on behalf of the respondents is apparently incorrect since prior to 2012 decisions were taken for absorption of the Vanmajoor. Since the respondents were prima-facie convinced with the documents with them, the name of the deceased Vyankat Agashe was included in the list of eligible candidates and the arrears were also specified. That was the reason that the proposal was forwarded on 15.3.2007. The said proposal has yet not been decided. The applicants have filed the present O.A. with that limited prayer. The same deserves to be allowed. Hence the following order:-

ORDER

(i) Respondent no. 5 shall decide the proposal dated 15.3.2007 on its own merit within the period of 3 months from this order and communicate the decision to the applicants and if deceased Vyankat Agashe is found eligible, release the monetary benefits payable to deceased Vyankat Agashe in favour of the applicants within 2 months thereafter.

(ii) The Original Application stands disposed of in the aforesaid terms. No order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1066/2022
(Shri Govind B. Rathod Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Shri P.S. Dighe, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar the affidavit in reply on behalf of respondent no.

1. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. S.O. to 30.6.2023 for filing rejoinder affidavit, if any, by the applicant.

VICE CHAIRMAN

ARJ ORAL ORDER 3.5.2023

ORIGINAL APPLICATION NO. 143/2023
(Shri Dwarkadas G. Ghikhalikar Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

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

2. At the request of learned counsel, S.O. to 16.6.2023 for filing rejoinder affidavit on behalf of the applicant.

3. The Interim Relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 180/2022
(Shri Deepak D. Kharath Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Shri Ashish B. Rajkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The learned counsel has tendered across the bar the rejoinder affidavit on behalf of the applicant. It is taken on record and copy thereof has been supplied to other side.

3. List the matter for hearing on 23.6.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1112/2022
(Mohammad Raza Khan Vs. the state of Maharashtra & Ors.)

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

DATE : 3.5.2023

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri M.B. Bharaswadkar, learned counsel for respondent no. 3, are present.

2. List the matter for hearing on 8.6.2023.
3. The Interim Relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.267/2023
(Chandrakant B. Paraskar Vs. State of Maharashtra & Ors.)

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

DATE : 03-05-2023

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Arguments are heard. For further consideration S.O. to 04-05-2023.

VICE CHAIRMAN

YUK ORAL ORDER 03.05.2023

ORIGINAL APPLICATION NO.316/2023
(Abhijit V. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 03-05-2023

ORAL ORDER :

Heard Shri S.D.Joshi, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities.

2. Arguments are heard for some time.
3. At the request of learned P.O., S.O. tomorrow i.e. on 04-05-2023. **Part heard.**

VICE CHAIRMAN

YUK ORAL ORDER 03.05.2023

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

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

DATE : 03-05-2023

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. files affidavit in reply to the amended O.A. on behalf of respondent nos.1 to 3. It is taken on record. Copy be provided to the learned Counsel for the applicant.

3. S.O. to 05-07-2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.558/2023
(Ganesh Digambarrao Deshpande Vs. State of Maharashtra
& Ors.)

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

DATE : 03-05-2023

ORAL ORDER :

Shri R.P.Bhumkar, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. Due to paucity of time, present matter though is listed for hearing could not be heard. Learned Counsel for the applicant pointed out that the applicant though has retired in the year 2017 is not receiving even provisional pension. Dispute which is raised in the present O.A. is in respect of grant of time bound promotion which has been disputed by the respondents. However, it appears to me that whatever the amount of provisional pension as may be payable according to the respondents, at least the respondents must have started paying that amount by way of provisional pension to the applicant. Not to pay even the provisional pension to a retired Government servant is too unjust and unfair.

=2=

O.A.NO.558/2023

3. In the circumstances, respondents are directed to start paying the provisional pension to the applicant according to their own calculations within 4 weeks from the date of this order, subject to the final decision of the present O.A.
4. For further consideration, S.O. to 03-07-2023.

VICE CHAIRMAN

YUK ORAL ORDER 03.05.2023

ORIGINAL APPLICATION NO.156/2023
(Anand Bansilal Karnawat Vs. State of Maharashtra & Ors.)

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

DATE : 03-05-2023

ORAL ORDER :

Heard Shri S.B.Solanke, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. When the present matter is taken up for consideration, learned Counsel for the applicant submitted that though the respondent no.5 has been posted in place of the applicant, the applicant has not been given any further posting and is kept on waiting. It is the grievance of the applicant that only because he has not been given any further posting, he is without salary for last 3 months i.e. from February, March and April. Learned Counsel in the circumstances has prayed for directing the respondents to release the amount of said salary.

3. Learned P.O. has tendered communication received to the office of CPO dated 06-04-2023 wherein it is contended that the matter relating to

=2=

O.A.NO.156/2023

the applicant is in process and he is soon likely to be given posting. Even in that circumstance, action of respondents of not paying the salary for consecutive 3 months cannot be justified. In the circumstances, respondents are directed to pay to the applicant the salary for the period of February, March and April within 4 weeks from the date of this order.

4. S.O. to 18-07-2023.

VICE CHAIRMAN

YUK ORAL ORDER 03.05.2023