

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

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Smt. Anagha Pedgaonkar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities

2. Issue notice to respondents in the Misc. Application, returnable on 14.10.2024.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 14.10.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1015/2023**  
(Kum. Pragati D/o Praful Shingade Vs. The State of Maharashtra & Ors.)

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Kalyan V. Patil, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities

2. In the present Original Application the respondent nos. 1 & 2 today have filed their affidavit in reply. It is taken on record and copy thereof has been given to learned counsel for the applicant.

3. It is the contention of the applicant in the present Original Application that she belongs to Scheduled Caste category and accordingly she had applied claiming the benefit of her caste, as well as, the benefit available for Female candidates. As she was not considered, the present Original Application has been filed.

4. Today after filing affidavit in reply by the respondents, the learned counsel for the applicant

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submitted that the applicant is likely to be considered on her own merit as Open Female candidate and she was called for document verification. Total 586 posts were reserved for Open Female candidates. Now it is the contention of the applicant that she falls in those 586 candidates in order of merit and hence she is liable to be selected.

5. Learned counsel for the applicant submits that the applicant, however, apprehends that pendency of the present Original Application shall not become the reason for not considering her for the said appointment. If the applicant is liable to be considered for appointment against the Open (Female) seat, on her own merit, nobody can take away that right. It will be mandatory for the respondents to consider her for appointment from Open category and pendency of the Original Application may not be an impediment in appointing her against the Open (Female) seat.

6. S.O. to 17.10.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 195/2024 IN O.A.NO. 489/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**M.A.NO. 196/2024 IN O.A.NO. 362/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**M.A.NO. 197/2024 IN O.A.NO. 363/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**M.A.NO. 198/2024 IN O.A.NO. 365/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**M.A.NO. 199/2024 IN O.A.NO. 368/2024**  
(Shalini R. Raut & Ors. Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 385 OF 2024**  
(Pranita Shivaji Randive Vs. State of Maha. & Ors.)

**ORIGINAL APPLICATION NO. 386 OF 2024**  
(Shital Diliprao Kadam Vs. State of Maha. & Ors.)

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Avinash Khedkar, learned counsel for the applicants in all these MAs/Intervenors and S/Shri V.R. Bhumkar, V.G. Pingle, S.S. Dambe and Smt. Deepali S. Deshpande, learned Presenting Officers for the respondent authorities in all these matters and Shri M.B. Bharaswadkar, learned counsel for respondent No. 2 in O.A. Nos. 362, 363, 365 & 368 all of 2024, Shri Ajay Deshpande, learned counsel for the respective applicants in respective OAs. and Shri Amol Chalak, learned counsel for the applicant in O.A. No. 362/2024 are present.

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**M.A.NO. 195/2024 IN**  
**O.A.NO. 489/2024**

Shri G.V. Mohekar, learned counsel for the applicants in O.A. No. 365/2024 and Shri B.N. Magar, learned counsel for the applicants in O.A. Nos. 385 & 386 and Shri Vijay Dhakane, learned counsel for the applicants in 368/2024, **are absent.**

2. S.O. to 23.09.2024. Interim relief granted earlier, if any, shall remain in force till next date.

**MEMBER (A)**

**VICE CHAIRMAN**

ARJ ORAL ORDER 03.09.2024

**ORIGINAL APPLICATION NO.672/2024**  
**(Priyanka D. Wani Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Present O.A. is circulated by the learned Counsel appearing for the applicant for seeking urgent interim orders.

3. Learned Counsel for the applicant submitted that he is required to urgently move the matter since the applicant has received information that the appointment orders are being issued to candidates from other trades like Turner, Machinist, Mechanic Diesel, Mechanic Motor Vehicle etc. and she has noticed that the candidates having scored less number of marks than her in the said trades have

been given appointment orders. In the circumstances, learned Counsel for the applicant has prayed for passing further orders so as to protect the interest of the applicant and to keep one post vacant in the Turner trade till decision of the present O.A. Learned Counsel pointed out that in Turner trade, the applicant has secured 163.25 marks whereas the selected candidates have secured 160.58 and 159.60 marks, respectively, i.e. less marks than the applicant.

4. Request so made is opposed by the learned CPO. Learned CPO has tendered a time table for the post-recruitment activities in pursuance of the advertisement no.01/2022. Learned CPO submitted that for the total 48 trades of Craft Instructors 1457 posts were to be filled in and accordingly program was prepared. Learned CPO pointed out that the provisional select lists were displayed from 24-11-2023 to 15-12-2023 of all the trades. Learned CPO pointed out that, after provisional select lists were displayed of all the trades, the candidates concerned were asked for exercising their options/preferences. Learned CPO submitted that,

accordingly applicant exercised her option for Welder trade on 21-12-2023. Learned CPO pointed out that since the applicant exercised option for Welder trade she was selected and given order of appointment in her favour. Learned CPO further submitted that, contention of the applicant that, she was not knowing whether she is likely to be selected for other trades is not correct since the provisional select lists were prepared and displayed before exercising options by the applicant.

5. We have duly considered the submissions made on behalf of the applicant as well as the respondents. When it is the contention of the applicant that she was unaware of her position in order of merit in so far as the other trades than Welder is concerned, the document which is produced on record by the learned CPO and the submissions made by him demonstrate that, the provisional select lists were displayed of all the trades before 15-12-2023 and the applicant exercised her option for Welder trade on 21-12-2023. If this be so, then we see little



merit in the submissions made on behalf of the applicant. However, we restrain from making any more discussion on this issue for the reason that, the affidavit in reply is yet to be filed by the respondents. Similarly, there is no written application seeking interim relief subsequent to issuance of the notice is filed by the applicant. There is an oral request for grant of such relief.

6. When the contradictory statements are made in respect of declaration and display of the provisional select lists of all the trades and no authentic information is placed on record, it is difficult to accede to the request made by the applicant for grant of interim relief. Since no such material has been placed on record either by the applicant or by respondents, we are not inclined to accept the request made by the learned Counsel for the applicant. Let the matter come on record on its scheduled date i.e. on 06-09-2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.277/2021**  
**(Shivaji N. Wagh Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. S.O. to 25-09-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 03.09.2024

**VICE CHAIRMAN**

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

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Amol R. Gaikwad, learned counsel for the applicant and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 25-09-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 03.09.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.752/2022**  
**(Manisha C. Panchal Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Amol B. Chalak, learned counsel for the applicant and Shri S.S.Dambe, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 25-09-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 03.09.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.1092/2022**  
**(Satish S. Gadve & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Mayur J. Sharma, learned Counsel holding for Shri Mohit Deshmukh, learned counsel for the applicant and Shri S.S.Dambe, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 26-09-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**

YUK ORAL ORDER 03.09.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.13/2024**  
**(Ganesh Tejrao Saste Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.S.Tandale, learned counsel for the applicant and Shri S.S.Dambe, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 26-09-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 03.09.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.359/2024**  
**(Shubham Ganesh Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. S.O. to 19-09-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 03.09.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 299 OF 2024**  
**(Ramesh M. Ade Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Swapnil Joshi, learned counsel holding for Shri G.R. Jadhav, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri V.B. Dhage, learned counsel for respondent No.3, are present.

2. This is a part heard matter.

3. By consent of parties, S.O. to 19.09.2024 for further hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 25 OF 2022  
(Shailesh V. Gavit Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Swapnil Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 19.09.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 433 OF 2022  
(Prakash B. Kamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 11.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1024 OF 2022  
(Vitthal S. Bade Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Ravi R. Bangar, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. S.O. to 23.10.2024 for hearing.

**MEMBER (J)**

1. **ORIGINAL APPLICATION NO. 73 OF 2023**  
(Jyoti C. Hatkar Vs. State of Maharashtra & Ors.)
2. **ORIGINAL APPLICATION NO. 86 OF 2023**  
(Shyam M. Yesmod Vs. State of Maharashtra & Ors.)

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri D.K. Rajput, learned counsel for the applicants in both the O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. Learned counsel for the applicants seeks time to file the Contempt Petition against the concerned respondent for not obeying the order passed by this Tribunal on 12.08.2024 in both these O.As. Time granted.

3. S.O. to 19.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 168 OF 2023**  
**(Ishwar V. Dahiphale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.S. Thombre, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant, S.O. to 21.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 770 OF 2023**  
**(Deepak R. Wadkute Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.S. Ware, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file an application seeking amendment in the Original Application in view of the fact that during pendency of this Original Application in the pending departmental enquiry the applicant came to be fully exonerated by order dated 20.05.2022. Though the applicant has been paid certain retiral benefits like leave encashment, G.P.F., however, the gratuity and final pension has not been paid to the applicant.

3. Learned counsel for the applicant thus seeks time to file an application seeking amendment in O.A. Time granted.

4. S.O. to 20.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 821 OF 2023**  
**(Rajendra V. Marale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Avinash N. Barhate Patil, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. S.O. to 23.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1009 OF 2023**  
**(Bharti V. Raut Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Learned P.O. seeks leave to file the affidavit in reply on behalf of respondent No.3. Leave granted. The reply is accepted and copy thereof is given to learned counsel for the applicant today itself.
3. Learned counsel for the applicant seeks time to file affidavit in rejoinder, if needed. Time granted.
4. S.O. to 04.10.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 195 OF 2024  
(Mahadev G. Karad Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.R. Kedar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 01.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 339 OF 2024**  
**(Dilip W. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Anudeep D. Sonar, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. S.O. to 12.11.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 463 OF 2024**  
**(Shrinivas P. Bhutavale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri U.B. Deshmukh, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.N. Janakwade, learned counsel for respondent No. 6, are present.

2. At the request of learned counsel for respondent No. 6, S.O. to 23.09.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 03.09.2024

**ORIGINAL APPLICATION NO. 510 OF 2022**  
**(Prabhakar S. Jagtap Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. It is a part heard matter. At the request of learned counsel for the applicant, S.O. to 21.10.2024 for further hearing.

**MEMBER (J)**

KPB ORAL ORDER 03.09.2024

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

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 21.10.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 980 OF 2018  
(Narayan K. Vyas Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 21.10.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 03.09.2024

**M.A. No. 38/2024 in O.A. St. No. 02/2024  
(Shankar C. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 22.10.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 03.09.2024

**ORIGINAL APPLICATION NO. 247 OF 2021**  
**(Ashok Bhaurao Dhokle Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Smt. Jayshri Dongre, learned counsel holding for Smt. Suchita Dhongde, learned counsel for the applicant, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No. 2.

2. Learned counsel on the basis of communication in writing from the applicant seeks leave to withdraw the present Original Application. Said communication is taken on record and marked as document 'X' for identification.

3. Leave granted. The Original Application is disposed of as withdrawn. No order as to costs.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 185 OF 2020  
(Baliram B. Mahale Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks leave to file rejoinder affidavit to the affidavit in reply filed by respondent No. 1 during the course of the day. Leave granted.

3. Depart heard.

4. S.O. to 15.10.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 32 OF 2023**  
**(Babamiya P. Pathan Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 22.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 595 OF 2024  
(Ramesh D. Navsupe Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri K.N. Farooqui, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that during the course of the day affidavit in reply will be filed.
3. S.O. to 19.09.2024 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 468 OF 2024**  
**(Yuwaraj S. Rokade & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri G.C. Navandar, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 24.09.2024 for filing affidavit in reply on behalf of respondents.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 982 OF 2024**  
**(Shaikh Imran Shaikh Ahmed Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**  
**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri A.R. Gaikwad, learned counsel holding for Shri S.B. Solanke, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, issue fresh notices to the respondents, returnable on 25.10.2024.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 25.10.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 666 OF 2024**  
**(Narendra Lotan Patil (Warule) Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri C.V. Dharurkar, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record along with spare copy for the applicant.

3. S.O. to 24.10.2024 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**M.A. No. 387/2024 in O.A. No. 716/2024**  
**(Kashinath S. Bharte Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 10.09.2024 for instructions, as the office has raised an objection that the O.A. does not fall within the territorial jurisdiction of this Tribunal.

**MEMBER (J)**

KPB ORAL ORDER 03.09.2024

**O.A. Nos. 498, 499, 500 & 501 all of 2024**  
**(Kisanrao P. Patil & 3 Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.B. Mene, learned counsel holding for Shri A.R. Borulkar, learned counsel for the applicants in all these O.As. and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in all these O.As., are present.

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

**MEMBER (J)**

KPB ORAL ORDER 03.09.2024



**ORIGINAL APPLICATION NO. 754 OF 2024  
(Sangita V. Parate Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Learned counsel Shri Yogesh P. Deshmukh, submits that he has instructions to appear for respondent No. 3 and thus seeks time to file short affidavit to the objection about territorial jurisdiction, so also to the effect that applicant is not the State Government employee. Time granted.

3. S.O. to 24.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 933 OF 2024**  
**(Vijay V. Kamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 17.10.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 17.10.2024.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 963 OF 2024**  
**(Sanjeev S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri A.R. Gaikwad, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 18.10.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 18.10.2024.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 996 OF 2024**  
**(Pranit P. Bodhane Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 18.09.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 18.09.2024.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 997 OF 2024**  
**(Vasant J. Koli Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 09.09.2024.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. Learned Presenting Officer to call the record and proceedings.

8. S.O. to 09.09.2024 in **urgent admission category**.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 478 OF 2023  
(Vishwajit V. Udate Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri K.G. Salunke, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter. At the request of learned counsel for the applicant, S.O. to 09.09.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 302 OF 2024  
(Seema V. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.P. Koli, learned counsel for the applicant, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri Shaikh Abdul Alim, learned counsel holding for Shri V.P. Kadam, learned counsel for respondent No. 4, are present.

2. This is a part heard matter. At the request of learned counsel for respondent No. 4 so also learned Presenting Officer, S.O. to 10.09.2024 for further hearing.

**MEMBER (J)**

**M.A. No. 260/2022 in O.A. St. No. 732/2022  
(Sharad S. Kappa Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri C.V. Thombre, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 23.10.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 03.09.2024



**ORIGINAL APPLICATION NO. 995 OF 2024**  
**(Gajanan Ashok Dhangar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**  
**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Smt. Naseembanu I. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant is challenging transfer order dated 31.08.2024, thereby transferring him from the post of Geographical Information System Senior Assistant (hereinafter referred as 'GIS Senior Assistant'), GSDA, Nandurbar to the post of GIS Senior Assistant, GSDA, Ahmednagar. Learned counsel has pointed out that the applicant was appointed and posted at Nandurbar in the year 2014. However, in the year 2021 i.e. on 12.11.2021, the applicant was promoted as Geographical Information System Senior Assistant. Learned counsel has further pointed out that on 30.05.2023, the applicant came to be transferred from the post of GIS Senior Assistant, GSDA, Nandurbar to the post of GIS Senior Assistant, GSDA, Ahmednagar. However, on the very next day i.e. on 31.05.2023, the

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O.A. No. 995/2024

applicant was retained at the office of Senior Geologist GSDA, Nandurbar by modifying his earlier transfer order dated 30.05.2023. Learned counsel has further pointed out that only after one year the applicant came to be transferred from the same post from Nandurbar to Ahmednagar. Learned counsel submits that the said impugned order of transfer dated 31.08.2024 purported to have been passed under Section 4(1), 4(2) and 4(3) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. Learned counsel submits that the applicant is yet not relieved and he is on medical leave.

3. At this stage, learned Presenting Officer submits that the applicant is relieved today in the morning itself and learned P.O. has received the communication to that effect through Whatsapp message from the said department.

4. In view of above, issue notices to the respondents, returnable on 18.09.2024.

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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O.A. No. 995/2024

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. Learned Presenting Officer to call the record and proceedings.

10. S.O. to 18.09.2024.

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

**MEMBER (J)**

**M.A. 381/2024 in M.A. No. 382/2024 in M.A. St. No. 1656/2023 in O.A. St. No. 1657/2023**  
**(Ganpat S. Rathod & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Tushar Daware, learned counsel holding for Shri A.G. Talhar, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. By filing M.A. No. 381/2024, the applicants are seeking condonation of delay caused in filing M.A. for restoration of M.A. St. No. 1656/2023.

3. By filing M.A. No. 382/2024, the applicants are seeking restoration of M.A. St. No. 1656/2023 in O.A. St. No. 1657/2023.

4. Learned counsel for the applicants submits that inadvertently the hearing date was not correctly taken and therefore the applicants and their counsel remained absent on the same date. Learned counsel submits that there is a delay of 121 days caused in filing M.A. for restoration of M.A. St. 1656/2023. Learned counsel submits that the said delay is not

intentional or deliberate and hence, the same may be condoned.

5. In view of above and for the reasons stated in the applications, M.A. Nos. 381 & 382 both of 2024 are hereby allowed subject to payment of costs to payment of costs of Rs. 500/- (Five Hundred Only) to be paid by the applicants. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order. The delay of 121 caused in filing M.A. for restoration of M.A. St.No. 1656/2023 is hereby condoned.

6. Upon satisfaction of costs, M.A. St. No. 1656/2023 in O.A. St. No. 1657/2023 be restored to its original file.

7. M.A. Nos. 381 and 382 both of 2024 are accordingly disposed of.

8. M.A. St. No. 1656/2023 in O.A. St. No. 1657/2023 come up on board on 28.10.2024.

**MEMBER (J)**

**M.A. 383/2024 in M.A. No. 384/2024 in M.A. St. No. 1690/2023 in O.A. St. No. 1691/2023**  
**(Ramakant D. Panchal & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Tushar Daware, learned counsel holding for Shri A.G. Talhar, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. By filing M.A. No. 383/2024, the applicants are seeking condonation of delay caused in filing M.A. for restoration of M.A. St. No. 1690/2023.

3. By filing M.A. No. 384/2024, the applicants are seeking restoration of M.A. St. No. 1690/2023 in O.A. St. No. 1691/2023.

4. Learned counsel for the applicants submits that inadvertently the hearing date was not correctly taken and therefore the applicants and their counsel remained absent on the same date. Learned counsel submits that there is a delay of 121 days caused in filing M.A. for restoration of M.A. St. 1690/2023. Learned counsel submits that the said delay is not

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intentional or deliberate and hence, the same may be condoned.

5. In view of above and for the reasons stated in the applications, M.A. Nos. 383 & 384 both of 2024 are hereby allowed subject to payment of costs to payment of costs of Rs. 500/- (Five Hundred Only) to be paid by the applicants. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order. The delay of 121 caused in filing M.A. for restoration of M.A. St. No. 1690/2023 is hereby condoned.

6. Upon satisfaction of costs, M.A. St. No. 1690/2023 in O.A. St. No. 1691/2023 be restored to its original file.

7. M.A. Nos. 383 and 384 both of 2024 are accordingly disposed of.

8. M.A. St. No. 1690/2023 in O.A. St. No. 1691/2023 come up on board on 28.10.2024.

**MEMBER (J)**

**C.P.NO. 51/2024 IN O.A.NO. 45/2021**

(Akhillujjamakha Shafiujjamakha Pathan Vs. The State of Maharashtra & Ors.)

**C.P.NO. 53/2024 IN O.A.NO. 740/2019**

(Natharao R. Hodbe Vs. The State of Maharashtra & Ors.)

**C.P.NO. 54/2024 IN O.A.NO. 742/2019**

(Mohan F. Jadhav Vs. The State of Maharashtra & Ors.)

**C.P.NO. 55/2024 IN O.A.NO. 01/2021**

(Prasad S. Bhise Vs. The State of Maharashtra & Ors.)

**C.P.NO. 56/2024 IN O.A.NO. 746/2019**

(Vilas W. Chavhan Vs. The State of Maharashtra & Ors.)

**C.P.NO. 57/2024 IN O.A.NO. 745/2019**

(Kishor U Bhusari Vs. The State of Maharashtra & Ors.)

**C.P.NO. 58/2024 IN O.A.NO. 743/2019**

(Mubsaroddin S Siddiqui Vs. The State of Maharashtra & Ors.)

**C.P.NO. 59/2024 IN O.A.NO. 741/2019**

(Ankush L. Jadhav Vs. The State of Maharashtra & Ors.)

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

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 03.09.2024**

**ORAL ORDER :**

Smt. Supriya Bhillegaonkar, learned counsel for the applicants and S/Shri V.R. Bhumkar and V.G. Pingle, learned Presenting Officers for the respective respondents in respective petitions, are present.

2. Learned Presenting Officers seek time to file affidavit in reply. Ten days' time granted.

3. S.O. to 18.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 943 OF 2024**  
**(Mugaji M. Kakde Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Dhananjay Chinchole, learned counsel holding for Shri Jiwan J. Patil, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. This matter is moved for speaking to minutes. In the present matter after delay was condoned and submissions made on behalf of the applicant it was noticed that identical matters are placed before the **Lok Adalat** for consideration and, as such, the order was passed for keeping the present application also before the **Lok Adalat**. However, inadvertently no formal notice was issued to the respondents. As such, present motion is moved praying for issuance of the notice to the respondents. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents. **Learned Presenting Officer shall communicate the concerned office that the present matter will be considered in the Lok Adalat scheduled on 28.09.2024.**

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

(iii) 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.

(iv) 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.

(v) 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.

(vi) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 955 OF 2024**  
**(Rahibai Parwatrao Desai Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. The present applicant applied for the post of Laboratory Technician in pursuance of the advertisement issued on 10.05.2023 by respondent No. 4. The applicant claims to be belonging to the category of Project Affected Persons and also claims to be falling in the EWS category. Total 112 posts were advertised, out of which 06 posts are shown to be reserved for the PAP. It is the contention of the applicant that though in the first two provisional selection lists published by the respondents the name of the applicant was existing at Sr. No. 174, in the last revised seniority list published by the respondents on 12.08.2024, the name of the applicant is shown at Sr. No. 177 and against her name the remark is endorsed as 'ineligible' for having 'age barred'.

3. Learned counsel for the applicant submitted that the advertisement in pursuance of which the applicant

applied for the subject post was issued on 10.05.2023 and last date for filling in the applications was 25.05.2023. Learned counsel further submitted that on the date of filling the application the applicant was aged about 45 years, 11 months and 16 days. Learned counsel pointed out that for the PAPs even otherwise the upper age limit is 45 years and vide Government Resolution dated 03.03.2023 two years relaxation was provided for all the recruitment processes which may commence up to 31<sup>st</sup> December, 2023. As such, according to the applicant, she is entitled for the benefit of the said age relaxation and if that is considered she cannot be held age barred. In the circumstances, learned counsel has prayed for directions against the respondents to keep one post vacant in the category of PAPs till decision of the present Original Application.

4. Learned Chief Presenting Officer has sought time to file affidavit in reply. Insofar as prayer for interim relief is concerned, the learned C.P.O. opposed for grant of any interim relief stating that unless the complete information comes on record, it would be unsafe to grant any interim relief.

5. The brochure published by respondent No. 3 provides 45 years to be the upper age limit for the PAPs to apply for the Government job. Besides, the Govt.

Resolution dated 31<sup>st</sup> December, 2023 provides 02 years age relaxation due to Covid – circumstances in addition to the age-relaxation. After having considered the provisions as aforesaid, it appears to us that the applicant has made out a *prima facie* case. In the circumstances, we deem it appropriate to pass the following order: -

**ORDER**

(i) Issue notice to respondents, returnable on 30.09.2024. **In the meanwhile, if the appointment orders are issued, one post shall be kept vacant in the category of EWS Project Affected Persons.**

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

(iii) 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.

(iv) 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.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the

**:: - 4 - ::**

**O.A. NO. 955/2024**

Registry before due date. Applicant is directed to file affidavit of compliance and notice.

(vi) S.O. to 30.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 1010 OF 2023**  
**(Shubham Bhagwanrao Hingmire Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri G.B. Kingare, learned counsel holding for Shri P.S. Anerao, 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 counsel for the applicant, S.O. to 01.10.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 328 OF 2020**  
**(Shaikh Shamshodin Hamidoddin Vs. The State of Maharashtra**  
**& Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri G.B. Kingare, learned counsel holding for Shri P.S. Anerao, learned counsel for the applicant, Mrs. Deepali S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri B.G. Deshmukh, learned counsel for respondent No. 4, are present. Shri V.C. Suradkar, learned counsel for respondent No. 5 (**absent**).

2. At the request of learned counsel for the applicant, S.O. to 15.10.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD



**ORIGINAL APPLICATION NO. 67 OF 2024**

**(Vinod Uttamrao Jadhav & Anr. Vs. The State of Maharashtra & Ors.)**

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

**AND**

**Shri Vinay Kargaonkar, Member (A)**

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri A.S. Bayas, learned counsel for respondent Nos. 3 & 4, are present.

2. Learned Chief Presenting Officer has sought time to file affidavit in reply on behalf of the State authorities, last chance was granted for the State authorities to file affidavit in reply by this date. Learned C.P.O. submits that most of the instructions have received and the para-wise reply is awaiting approval. He prays one week' time to file affidavit in reply. Considering the submissions in the interest of justice one week's time is granted.

3. S.O. to 13.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 299 OF 2019**  
(Rahul Taterao Pol & Ors. Vs. The State of Maharashtra & Ors.)

**WITH**

**ORIGINAL APPLICATION NO. 463 OF 2021**  
(Payal P. Tathe Vs. The State of Maharashtra & Ors.)

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar and Mrs. Deepali S. Deshpande, learned Chief Presenting Officer and learned Presenting Officer for the respective respondents in respective matters, are present.

2. S.O. to 26.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 529 OF 2024**  
**(Sadashiv P. Gunjal Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri G.R. Jadhav, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent No. 1 and the same is taken on record and the copy thereof has been served on the other side.

3. Learned Presenting Officer submits that the other Government authorities may not be required to file separate affidavit in reply.

4. List the matter for hearing on 14.10.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 535 OF 2024**  
**(Gajanan V. Khatke Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri G.R. Jadhav, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicant, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for respondent Nos. 3 to 5, are present.

Shri D.B. Sadaphule, learned counsel for respondent No. 6 (**absent**).

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

3. S.O. to 14.10.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 632 OF 2024**  
**(Ashok Ram Giri Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri G.R. Jadhav, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 14.10.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

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

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri Kalyan Patil, learned counsel holding for Shri S.R. Barlinge, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

Shri I.S. Thorat, learned counsel appeared today before this Tribunal and has submitted that he has received instructions from respondent Nos. 4, 6, 7, 9, 10, 11, 12, 14 to 16 & 13 to appear on their behalf. He undertakes to file VAKALATNAMA on behalf of the said respondents in the office of this Tribunal.

2. Learned Presenting Officer and learned counsel appearing for respondent Nos. 4, 6, 7, 9, 10, 11, 12, 14 to 16 & 13 seek one week's time for filing affidavit in reply. Time granted.

3. S.O. to 13.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**M.A.NO. 416/2024 IN O.A.NO. 1001/2024**  
**(Santosh J. Panchal & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant submits that all the applicants are presently working in the offices under the jurisdiction of this Tribunal. It is further contended that they are having common grievance and relief sought is also common. Learned counsel in the circumstances, has prayed for allowing the sue jointly application.

3. Learned Presenting Officer has opposed the request so made stating that the applicants are appointed on the different dates and working in the different offices and as such sue jointly application cannot be allowed. Objection so raised is liable to be rejected at the threshold. The offices at which the applicants are working may not be material in the matter. Offices may be different also. Material aspect is that challenge raised and the relief claimed are common and the respondents are also common. In the

::-2-:: **M.A.NO. 416/2024 IN**  
**O.A.NO. 1001/2024**

circumstances, in fact, for avoiding the multiplicity of litigations it is better that all the applicants joint together. As such, sue jointly application is allowed, subject to payment of court fee stamps, if not paid.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD



**ORIGINAL APPLICATION NO. 1001/2024**  
**(Santosh J. Panchal & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Present matters are moved for urgent admission. Taken on record.

3. When the present matter is taken up for consideration, the learned counsel for the applicants in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has also passed similar order in Original Application No. 987/2024 also.

4. As is revealing from the pleadings in the present Original Application the applicants are nominees of freedom fighters'. In the years 2008 and 2010 the

applicants have been appointed on the basis of Government Circular dated 04.03.1991 and are working since then i.e. from the date of their appointment on the respective posts. Learned counsel for the applicants submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicants in the present application apprehend the termination of their services on the aforesaid ground. According to these applicants, they have been duly appointed and each one of them has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by these applicants thereby seeking directions against the respondents not to take any coercive action against these employees on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record

therein, it is noticed that the facts involved in the present matters are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**ORDER**

- (i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicants in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-१, dated 28.08.2024.**
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) 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.
- (iv) 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.

::-4-::

**O.A. NO. 1001/2024**

(v) 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.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**M.A.NO. 417/2024 IN O.A.NO. 1002/2024**  
**(Nilesh S. Mahamure & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri R.N. Bharaswadkar, learned counsel for the applicants and Shri S.S. Dambe, learned Presenting Officer for the respondent authorities.

2. The present Misc. Application is filed seeking permission to sue jointly. When the present application is taken up for consideration, learned Presenting Officer has raised objection that applicant no. 01, Shri Nilesh S. Mahamure, and applicant no. 09, Shri Vinod S. Waghmode, had filed O.A. No. 984/2024 and the said application has been unconditionally withdrawn by the said applicants yesterday i.e. on 02.09.2024.

3. Learned Presenting Officer has tendered copy of the said order also. Learned counsel appearing in the present matter submits that these applicants did not disclose the aforesaid fact to him. The applicants are not present before this Tribunal. The fact, however, remains that the applicants who were aware that they have withdrawn the earlier application claiming the same relief yesterday itself, could not have approached even though

::-2-::

**M.A.NO. 417/2024 IN**  
**O.A.NO. 1002/2024**

the another counsel and file the present O.A. and M.A.

4. Insofar as other applicants are concerned, none of the said applicants is serving in any of the office falling in the jurisdiction of this Bench of the Tribunal. In the circumstances, no cause of action can be said to have occurred in the jurisdiction of this Tribunal. As such, present sue jointly application deserves to be dismissed even in respect of the remaining applicants. While dismissing the present application we deem it appropriate to impose costs of Rs. 1,000/- each on applicant nos. 01 and 09.

4. In view of rejection of sue jointly application, the accompanying Original Application also stands disposed of. Applicants, however, are not precluded from approaching the appropriate Bench.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**M.A. NO. 420/2024 IN O.A.NO. 1006/2024**  
**(Ram J. Kadam & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicants submitted that all the applicants in the present application are presently working in the offices falling within the jurisdiction of this Tribunal. It is further contended that the applicants have common grievance and they are seeking common relief. In the circumstances, the request is made for permission to sue jointly.

3. The learned Presenting Officer has submitted for passing appropriate orders.

4. Having considered the fact that cause of action has arisen within the jurisdiction of this Bench of the Tribunal and further fact that the applicants possess common grievance and relief sought is also identical, we deem it appropriate to allow the present application. Hence the following order:-

::-2-::

**M.A. NO. 420/2024 IN**  
**O.A.NO. 1006/2024**

**ORDER**

- (i) The Misc. Application is allowed, subject to payment of court fee stamps, if not paid.
- (ii) Accompanying O.A. be registered and numbered, after removal of office objections, if any.
- (iii) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD



**M.A. NO. 419/2024 IN O.A.NO. 1005/2024**  
**(Kamlesh Ramesh Suryawanhi & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submitted that all the applicants in the present application are presently working in the offices falling within the jurisdiction of this Tribunal. It is further contended that the applicants have common grievance and they are seeking common relief. In the circumstances, the request is made for permission to sue jointly.

3. The learned Presenting Officer has submitted for passing appropriate orders.

4. Having considered the fact that cause of action has arisen within the jurisdiction of this Bench of the Tribunal and further fact that the applicants possess common grievance and relief sought is also identical, we deem it appropriate the present application. Hence the following order:-

::-2-::

**M.A. NO. 419/2024 IN**  
**O.A.NO. 1005/2024**

**ORDER**

- (i) The Misc. Application is allowed, subject to payment of court fee stamps, if not paid.
- (ii) Accompanying O.A. be registered and numbered, after removal of office objections, if any.
- (iii) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 1005 OF 2024**  
**(Kamlesh Ramesh Suryawanhi & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Present matters are moved for urgent admission. Taken on record.

3. When the present matter is taken up for consideration, the learned counsel for the applicants in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has also passed similar order in Original Application No. 987/2024 also.

4. As is revealing from the pleadings in the present Original Application the applicants are nominees of freedom fighters'. In the year 2009 the applicants have

been appointed on the basis of Government Circular dated 04.03.1991 and are working since then i.e. from the date of their appointment on the respective posts. Learned counsel for the applicants submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicants in the present application apprehend the termination of their services on the aforesaid ground. According to these applicants, they have been duly appointed and each one of them has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by these applicants thereby seeking directions against the respondents not to take any coercive action against these employees on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record

therein, it is noticed that the facts involved in the present matters are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**ORDER**

- (i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicants in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-१, dated 28.08.2024.**
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) 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.
- (iv) 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.

::-4-::

**O.A. NO. 1005/2024**

(v) 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.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**M.A. NO. 418/2024 IN O.A.NO. 1003/2024**  
**(Shivraj D. Mali & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Hemant Dhage, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submitted that all the applicants in the present application are presently working in the offices falling within the jurisdiction of this Tribunal. It is further contended that the applicants have common grievance and they are seeking common relief. In the circumstances, the request is made for permission to sue jointly.

3. The learned Presenting Officer has submitted for passing appropriate orders.

4. Having considered the fact that cause of action has arisen within the jurisdiction of this Bench of the Tribunal and further fact that the applicants possess common grievance and relief sought is also identical, we deem it appropriate to allow the present application. Hence the following order:-

::-2-::

**M.A. NO. 418/2024 IN**  
**O.A.NO. 1003/2024**

**ORDER**

- (i) The Misc. Application is allowed, subject to payment of court fee stamps, if not paid.
- (ii) Accompanying O.A. be registered and numbered, after removal of office objections, if any.
- (iii) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD



**ORIGINAL APPLICATION NO. 1003 OF 2024**  
**(Shivraj D. Mali & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Hemant Dhage, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Present matter is moved for urgent admission. Taken on record.

3. When the present matter is taken up for consideration, the learned counsel for the applicants in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has also passed similar order in Original Application No. 987/2024 also.

4. As is revealing from the pleadings in the present Original Application the applicants are nominees of freedom fighters'. They were appointed in the year 2009,

2008 & 1997 respectively on the basis of Government Circular dated 04.03.1991 and are working since then i.e. from the date of their appointment on the respective posts. Learned counsel for the applicants submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicants in the present application apprehend the termination of their services on the aforesaid ground. According to these applicants, they have been duly appointed and each one of them has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by these applicants thereby seeking directions against the respondents not to take any coercive action against these employees on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record

therein, it is noticed that the facts involved in the present matters are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicants in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-१, dated 28.08.2024.**

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

(iii) 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.

(iv) 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.

::-4-::

**O.A. NO. 1003/2024**

(v) 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.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**M.A. NO. 422/2024 IN O.A.NO. 1011/2024**  
**(Vishwanath N. Naik & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Vishnu B. Mandan Patil, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submitted that all the applicants in the present application are presently working in the offices falling within the jurisdiction of this Tribunal. It is further contended that the applicants have common grievance and they are seeking common relief. In the circumstances, the request is made for permission to sue jointly.

3. The learned Presenting Officer has submitted for passing appropriate orders.

4. Having considered the fact that cause of action has arisen within the jurisdiction of this Bench of the Tribunal and further fact that the applicants possess common grievance and relief sought is also identical, we deem it appropriate the present application. Hence the following order:-

::-2-::

**M.A. NO. 422/2024 IN**  
**O.A.NO. 1011/2024**

**ORDER**

- (i) The Misc. Application is allowed, subject to payment of court fee stamps, if not paid.
- (ii) Accompanying O.A. be registered and numbered, after removal of office objections, if any.
- (iii) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 1011 OF 2024**  
**(Vishwanath N. Naik & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Vishnu B. Madan Patil, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Present matter is moved for urgent admission. Taken on record. Learned counsel for the applicants undertakes to remove the objections.

3. When the present matter is taken up for consideration, the learned counsel for the applicants in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has also passed similar order in Original Application No. 987/2024 also.

4. As is revealing from the pleadings in the present Original Application the applicants are nominees of freedom fighters'. They were appointed in the period

ranging between the years 1991 to 2005 on the basis of Government Circular dated 04.03.1991 and are working since then i.e. from the date of their appointment on the respective posts. Learned counsel for the applicants submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicants in the present application apprehend the termination of their services on the aforesaid ground. According to these applicants, they have been duly appointed and each one of them has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by these applicants thereby seeking directions against the respondents not to take any coercive action against these employees on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record



therein, it is noticed that the facts involved in the present matters are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicants in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-१, dated 28.08.2024.**

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

(iii) 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.

(iv) 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.

::-4-::

**O.A. NO. 1011/2024**

(v) 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.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 1006 OF 2024**  
**(Ram J. Kadam & Ors. Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Present matter is moved for urgent admission. Taken on record.

3. When the present matter is taken up for consideration, the learned counsel for the applicants in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has also passed similar order in Original Application No. 987/2024 also.

4. As is revealing from the pleadings in the present Original Application the applicants are nominees of freedom fighters'. They were appointed in the period between 1991 to 2000 on the basis of Government

Circular dated 04.03.1991 and are working since then i.e. from the date of their appointment on the respective posts. Learned counsel for the applicants submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicants in the present application apprehend the termination of their services on the aforesaid ground. According to these applicants, they have been duly appointed and each one of them has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by these applicants thereby seeking directions against the respondents not to take any coercive action against these employees on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record

therein, it is noticed that the facts involved in the present matters are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicants in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-१, dated 28.08.2024.**

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

(iii) 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.

(iv) 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.

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**O.A. NO. 1006/2024**

(v) 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.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 999 OF 2024**  
**(Sandip Totaram Dalvi Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Chetan T. Jadhav, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Present matter is moved for urgent admission. Taken on record.

3. Learned counsel for the applicant submits that he is not relying on the document at page-29 of the paper book. Insofar as document at page 32 is concerned, learned counsel undertakes to place on record the better and legible copy of the said document.

4. When the present matter is taken up for consideration, the learned counsel for the applicant in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has

also passed similar order in Original Application No. 987/2024 also.

5. As is revealing from the pleadings in the present Original Application the applicant is nominee of freedom fighter. In the year 2007 the applicant was appointed on the basis of Government Circular dated 04.03.1991 and is working since then i.e. from the date of his appointment on the said post. Learned counsel for the applicant submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicant in the present application apprehends the termination of his services on the aforesaid ground. According to the applicant, he has been duly appointed and has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by the applicant thereby seeking directions against the respondents not



to take any coercive action against him on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record therein, it is noticed that the facts involved in the present matter are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicant in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-९, dated 28.08.2024.**

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

(iii) 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.

(iv) This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

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**O.A. NO. 999/2024**

(Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

(v) 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.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 1007 OF 2024**  
**(Govind Gopalrao Pinglikar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Present matter is moved for urgent admission. Taken on record. Learned counsel for the applicant undertakes to remove the office objection.

3. When the present matter is taken up for consideration, the learned counsel for the applicant in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has also passed similar order in Original Application No. 987/2024 also.

4. As is revealing from the pleadings in the present Original Application the applicant is nominee of freedom fighter. In the year 1994 the applicant was

appointed on the basis of Government Circular dated 04.03.1991 and is working since then i.e. from the date of his appointment on the said post. Learned counsel for the applicant submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicant in the present application apprehends the termination of his services on the aforesaid ground. According to the applicant, he has been duly appointed and has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by the applicant thereby seeking directions against the respondents not to take any coercive action against him on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record

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**O.A. NO. 1007/2024**

therein, it is noticed that the facts involved in the present matter are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicant in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-१, dated 28.08.2024.**

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

(iii) 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.

(iv) 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.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of

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**O.A. NO. 1007/2024**

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 998 OF 2024**  
**(Vishnu Santoshrao Daspute Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Heard Shri Chetan T. Jadhav, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Present matter is moved for urgent admission. Taken on record.

3. When the present matter is taken up for consideration, the learned counsel for the applicant in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has also passed similar order in Original Application No. 987/2024 also.

4. As is revealing from the pleadings in the present Original Application the applicant is nominee of freedom fighter. In the year 2004 the applicant was

appointed on the basis of Government Circular dated 04.03.1991 and is working since then i.e. from the date of his appointment on the said post. Learned counsel for the applicant submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicant in the present application apprehends the termination of his services on the aforesaid ground. According to the applicant, he has been duly appointed and has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by the applicant thereby seeking directions against the respondents not to take any coercive action against him on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record



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**O.A. NO. 998/2024**

therein, it is noticed that the facts involved in the present matter are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**O R D E R**

(i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicant in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-१, dated 28.08.2024.**

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

(iii) 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.

(iv) 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.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of

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**O.A. NO. 998/2024**

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 1000 OF 2024**  
**(Sainath Adinath Pawar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

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

2. Present matter is moved for urgent admission. Taken on record.

3. When the present matter is taken up for consideration, the learned counsel for the applicant in the present matter pointed out that the facts in the present matter are identical with the facts which existed in Original Application No. 980/2024. Learned counsel in the circumstances has prayed for the interim relief as has been granted in favour of the applicants in O.A. no. 980/2024. It is also pointed out that this Tribunal has also passed similar order in Original Application No. 987/2024 also.

4. As is revealing from the pleadings in the present Original Application the applicant is nominee of freedom fighter. In the year 2007 the applicant was

appointed on the basis of Government Circular dated 04.03.1991 and is working since then i.e. from the date of his appointment on the said post. Learned counsel for the applicant submitted that the Government has issued G.R. dated 28.08.2024, whereby a decision has been taken to cancel the Circular dated 04.03.1991. Learned counsel further submitted that in the said G.R. the Government has issued directions to the concerned appointing authorities to terminate the services of the Freedom Fighters' nominees, who have not been appointed as per the prescribed procedure and the prescribed mode of appointment, meaning thereby that, who have been directly appointed without following the aforesaid procedure. The applicant in the present application apprehends the termination of his services on the aforesaid ground. According to the applicant, he has been duly appointed and has been working with the Government from the last couple of years. In the circumstances, interim relief is sought by the applicant thereby seeking directions against the respondents not to take any coercive action against him on the basis of G.R. dated 28.08.2024.

6. After having gone through the pleadings in the Original Application and the documents placed on record

therein, it is noticed that the facts involved in the present matter are identical with the facts, which existed in earlier 02 matters i.e. O.A. Nos. 980 and 987 both of 2024, wherein this Tribunal has granted interim relief in favour of the applicants in the said applications. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 25.09.2024. **Till then the respondents shall not take any coercive action against the applicant in light of impugned Government Resolution bearing No. नामनि-२०२४/प्र.क.७२/स्वासेक-१, dated 28.08.2024.**

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

(iii) 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.

(iv) 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.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of

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**O.A. NO. 1000/2024**

compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

(vi) S.O. to 25.09.2024.

(vii) Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 03.09.2024-HDD

**ORIGINAL APPLICATION NO. 406 OF 2024**  
**(Prakash B. Bachhav Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.F. Shaikh, learned counsel holding for Shri A.A. Kokad, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. When the present matter is taken up for consideration, learned counsel appearing for the applicant has submitted the written pursis under the signature of the applicant. Pursis is also countersigned by the learned counsel for the applicant. It is contended that the applicant has been exonerated from the charges framed against him in the Departmental Enquiry. The said document is also annexed with the written pursis and the same is taken on record. In view of the submissions made the following order is passed: -

**ORDER**

(i) The Original Application stands disposed of since withdrawn.

(ii) In the Original Application the applicant had also prayed for retiral benefits. In view of the order passed by the respondents, the applicant may move for such benefits to the authority concerned. Even thereafter any dispute subsists it would be open for the applicant to approach this Tribunal for such grievance.

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

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 591 OF 2024**  
**(Sagar Popat Patil Vs. The State of Maharashtra & Ors.)**

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

**DATE : 03.09.2024**

**ORAL ORDER :**

Shri S.A. Raut, learned counsel holding for Shri N.L. Choudhari, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel appearing for the applicant contended that the applicant has been selected for another post in the Government. On instructions, the learned counsel appearing for the applicant seeks leave of this Tribunal to withdraw the present Original Application. Hence, the following order is passed.

**ORDER**

The Original Application stands disposed of since withdrawn. There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**