

ORIGINAL APPLICATION NO.571/2022
(Shriram Wamanrao Sandur Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Heard Shri C.M.Ghodake, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Counsel for the applicant placed on record order passed at the Principal Bench of Maharashtra Administrative Tribunal at Mumbai in O.A.No.582/2022. Same is taken on record. Learned Counsel submitted that in view of the order passed in O.A.No.582/2022 the applicant is not willing to prosecute the matter further and seeks leave to withdraw the O.A. Hence, the following order:

ORDER

O.A. stands disposed of since withdrawn without any order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.1044/2019
(Tukaram Katare Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri D.A.Bide, learned Advocate for the applicant and
Shri M.S.Mahajan, learned Chief Presenting Officer for the
respondents, are present.

2. S.O. to 04-08-2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.02/2020
(Prakash More Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri M.R.Wagh, learned Advocate for the applicant
and Smt. Deepali Deshpande, learned Presenting Officer for
the respondents, are present.

2. S.O. to 04-08-2022.

VICE CHAIRMAN

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

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri M.G.Deokate, learned Advocate for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, Shri Sanjay Wakure, learned Advocate for respondent no.5 and Shri A.B.Chalak, learned Advocate for respondent no.6, are present.

2. S.O. to 05-08-2022.

VICE CHAIRMAN

**M.A.NO.79/2021 IN O.A.ST.NO.288/2021
(Pralhad Fiske Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri H.D.More, learned Advocate for the applicant
and Shri B.S.Deokar, learned Presenting Officer for the
respondents, are present.

2. S.O. to 04-08-2022.

VICE CHAIRMAN

**M.A.NO.306/2021 IN O.A.ST.NO.1305/2021
(Kiransing Pal Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant, Shri I.S.Thorat, learned Presenting Officer for the respondent authorities and Shri S.B.Mene, learned Advocate for respondent nos.3 & 4, are present.

2. S.O. to 05-08-2022.

VICE CHAIRMAN

**M.A.NO.398/2021 IN O.A.ST.NO.1666/2021
(Sadashiv Shingare Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri H.P.Jadhav, learned Advocate for the applicant
and Shri B.S.Deokar, learned Chief Presenting Officer for
the respondents, are present.

2. S.O. to 08-08-2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.499/2015
(Maroti Dake Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for
Shri A.S.Deshmukh, learned Advocate for the applicant
and Shri M.S.Mahajan, learned Chief Presenting Officer for
the respondents, are present.

2. S.O. to 01-08-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.588/2016
(Dnyaneshwar Barse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri R.B.Narwade Patil, learned Advocate for the
applicant is **absent**. Shri S.K.Shirse, learned Presenting
Officer for the respondents is present.

2. S.O. to 01-08-2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.876/2016
(Anuradha Gavane Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri M.S.Bhosale, learned Advocate for the applicant
and Shri N.U.Yadav, learned Presenting Officer for the
respondents, are present.

2. S.O. to 02-08-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.832/2017
(Ramkrishna Mhaske & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri R.P.Bhumkar, learned Advocate for the applicants and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 28-07-2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.569/2018
(Prashant Bonge Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri S.S.Ware, learned Advocate for the applicant and
Shri M.P.Gude, learned Presenting Officer for the
respondents, are present.

2. S.O. to 03-08-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.705/2018
(Akbar Khan Pathan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri Saket Joshi, learned Advocate holding for
Shri A.S.Deshmukh, learned Advocate for the applicant
and Smt. Sanjivani Ghate, learned Presenting Officer for
the respondents, are present.

2. S.O. to 03-08-2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.731/2018
(Ramesh Patil Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri P.B.Patil, learned Advocate for the applicant and
Smt. Deepali Deshpande, learned Presenting Officer for the
respondents, are present.

2. S.O. to 04-08-2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.76/2019
(Nilesh Badgajar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri H.V.Patil, learned Advocate for the applicant and
Shri D.R.Patil, learned Presenting Officer for the
respondents, are present.

2. S.O. to 04-08-2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.124/2019, 125/2019,
126/2019 & 127/2019
(Arun Gosawi & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
(This case is placed before Single Bench due
to non-availability of Division Bench)

DATE : 04.07.2022

ORAL ORDER :

Shri D.K.Dagadkhair, learned Advocate for the applicants has filed **leave note** on record. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents is present.

2. S.O. to 10-08-2022.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1037/2019
(Shri Sambhaji B. Wadje Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 1038/2019
(Shri Ashok P. Durpade Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 1039/2019
(Shri Babu V. Raut Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 1041/2019
(Shri Mahadev S. Dugane Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 1043/2019
(Shri Ashok R. Road Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **4.7.2022**

ORAL ORDER :

Heard Shri Prashant Deshmukh, learned counsel for the applicants in all these matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters.

2. The learned counsel on instructions submits that the purpose of filing these applications is satisfied. The learned counsel has therefore prayed for permitting

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O.A. NOS. 1037/2019 & Ors.

withdrawal of the present O.As. In view of this submission,
the following order is passed :-

ORDER

The Original Applications stand disposed of since
withdrawn without any order as to costs.

VICE CHAIRMAN

ARJ ORAL ORDERS 4.7.2022

**ORIGINAL APPLICATION NOS. 1040/2019 AND
1042/2019
(Shri Santosh S. Raut & Ors. Vs. State of Maharashtra & Ors.)**

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

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

DATE : 4.7.2022

ORAL ORDER :

Shri Prashant Deshmukh, learned counsel for the applicants in both these matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the matters, are present.

2. With the consent of both the sides, S.O. to 3.8.2022 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 586/2022
(Smt. Suvarna P. Pawar Vs. State of Maharashtra & Ors.)

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

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

DATE : 4.7.2022

ORAL ORDER :

Heard Shri A.S. Shelke, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. It is submitted that the applicant is eligible to be promoted to the post of Maharashtra Development Services Group-A. It is further submitted that the applicant falls in the zone of consideration and the information as was required for the purposes of granting promotion was also called for in respect of the applicant. The learned counsel further submitted that however in the list of selected candidates the name of the applicant is not finding place for the reason that a departmental enquiry has been initiated against her in the meanwhile period. The learned counsel submitted that the enquiry has been initiated pertaining to the misconduct allegedly occurred in the year 2015-16 while the applicant was working as Assistant B.D.O., Panchayat Samiti, Dhule. The learned counsel submits that it is discernible that the enquiry proceedings have been initiated at the crucial period when the applicant

entered in the zone of consideration and was likely to be promoted to the aforesaid post. The learned counsel has submitted that the applicant has already submitted necessary explanation as about the alleged misconduct alleged against her. In the circumstances, the learned counsel prayed for interim relief directing the respondents to keep one promotional post vacant till the decision of the present Original Application.

3. The learned Presenting Officer has sought time for filing affidavit in reply. It is contended that unless proper instructions are received, it may be improper to grant any interim relief as prayed for by the learned counsel for the applicant.

4. I have considered the submissions advanced by the learned counsel for the applicant and the learned Presenting Officer for the respondents. I have also perused the documents placed on record. There appears prima-facie substance in the submission made on behalf of the applicant that the enquiry is commenced in respect of the misconduct allegedly of the period prior to about 6 years at the very crucial period when the name of the applicant is under consideration for promotion. In the circumstances, I deem it appropriate to pass the following order :-

ORDER

1. Issue notices to the respondents, returnable on 11.8.2022.
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
3. 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.
4. 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.
5. 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.
- 6. The respondents are directed to keep one post of Maharashtra Development Services Group-A vacant till filing of the affidavit in reply by the respondents.**
7. S.O. to 11.8.2022.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 767/2022
(Shri Pandhari Maroti Mundhe Vs. State of Maharashtra &
Ors.)**

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

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

DATE : 4.7.2022

ORAL ORDER :

Heard Shri Girish N. Kulkarni (Mardikar), learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The learned counsel pointed out that though the office has raised an objection in regard to the limitation, the application is filed by the applicant within the period of limitation. The learned counsel submitted that the applicant stood retired on 29.2.2020 on attaining the age of superannuation. The learned counsel further submitted that after his retirement the recovery was directed from the retiral benefits payable to the applicant in respect of 2 increments paid in the year 1999. The learned counsel for the applicant pointed out that the increment given in the year 1999 has been disputed for the reason that in the year 1999 the applicant did not complete 5 years' period of his service. The learned counsel submitted that the applicant has entered into the service in the year 1993 and was continued thereafter with technical break of one or two

days. In the circumstances, his services were liable to be regularized and his period of service has to be reckoned from the date of entry in the Government service i.e. from the year 1993. The learned counsel submitted that since the cause of action arose in the year 2021, the application cannot be said to be barred by limitation or filed beyond the period of limitation.

3. After having perused the documents on record and the pleadings in the application it prima-facie appears that the applicant cannot be said to have approached this Tribunal belatedly. However, these are prima-facie conclusions, the facts may be otherwise also, which may come on record through affidavit in reply of the respondents.

4. In the circumstances, I deem it appropriate to issue notice to the respondents keeping the issue of limitation open, returnable on 12.8.2022.

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

6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book

of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

9. S.O. to 12.8.2022.

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

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1071/2022
(Smt. Surekha E. Phupate Vs. State of Maharashtra & Ors.)

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

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

DATE : 4.7.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The learned counsel pointed out that though the office has raised the objection as about the limitation, the Original Application filed by the applicant is well within the period of limitation. The learned counsel pointed out that the applicant is challenging the order dated 21.1.2021 in the present O.A. The learned counsel submits that after the aforesaid order was passed immediately in the month of February, 2021 the applicant has made a representation ventilating her grievance in regard to the said order, however, said representation has not yet been decided. The learned counsel submitted that after filing of the representation if the said representation is not decided by the authority concerned within 6 months, the applicant can approach this Tribunal within next one year after

expiry of the said period. The learned counsel submitted that having regard to the rules as such, the application is filed within the period of limitation.

3. The learned Presenting Officer has however opposed the submissions so made by the learned counsel for the applicant. The learned Presenting Officer has drawn my attention to the impugned order dated 21.1.2021 and more particularly to the column of reference in the said order. The learned Presenting Officer pointed out that the real grievance of the applicant is non-completion of the probationary period. He further pointed out that for completion of said probationary period as referred in the clause of reference, the applicant had forwarded 2 letters dated 3.1.2020 and 23.10.2020 respectively and the order impugned is in regard to the rejection of the request made by the applicant in the said letters. In the circumstances, according to the learned Presenting Officer there was no propriety again in submitting representation to the Government. The learned Presenting Officer submitted that just to save the limitation such argument has been made.

4. I have duly considered the submissions advanced by the learned counsel for the applicant and the learned Presenting Officer for the respondents. It appears that the

basic grievance of the applicant is in respect of not terminating the probation period of the applicant though during period of probation there was no complaint or misconduct alleged against the applicant. According to the applicant the misconduct impugned against her is of the period 2015-16 when she was working on the post of Deputy Registrar at Akola. It seems that the applicant was pursuing her grievance with the authority and request so made for passing formal order as about completion of the probation period was finally rejected on 21.1.2021. It was open for the applicant to make the representation even against that order which has been accordingly made by the applicant to the appropriate authority in the Government. In the circumstances it does not appear to me that the applicant has committed any delay in approaching this Tribunal. The objection as about limitation thus cannot sustain. Hence, I pass the following order :-

ORDER

1. Issue notices to the respondents, returnable on 12.8.2022.
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

3. 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.

4. 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.

5. 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.

6. S.O. to 12.8.2022.

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

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 392/2022

(Shri Yashwant K. Phuke & Another Vs. State of Maharashtra & Ors.)

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

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

DATE : 4.7.2022

ORAL ORDER :

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

2. The applicants have submitted a written pursis for withdrawal of the Original Application. The pursis is also signed by the counsel for the applicants. The pursis is taken on record. In view of the pursis so filed, following order is passed :-

ORDER

The Original Application stands disposed of as withdrawn without any order as to costs.

VICE CHAIRMAN

**M.A. No. 111/2020 in O.A. St. No. 1964/2019
(Mahadev B. Marde & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

O R D E R

1. This Misc. Application is made by the applicants seeking condonation of delay of about 9 years caused for filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985, seeking monetary benefits of two additional increments, which were granted to the applicant Nos. 1 to 3 vide order dated 12.03.2009 and to the applicant No. 4 vide order dated 18.07.2009 (Annexure A-3 collectively in O.A.).
2. The applicant Nos. 1 and 2 were working as Clerk, whereas the applicant No. 3 was working as Driver and the applicant No. 4, who was initially appointed as Technical Assistant was absorbed in Civil Engineering Assistant cadre and at present he is working as Jr. Engineer. The applicant Nos. 1, 2 and 3 are retired from the service on superannuation on 31.05.2014, 31.05.2012 and 31.08.2013 respectively, whereas, the applicant No. 4 is still in service.
3. In nutshell it is the contention of the applicants that in view of the then prevailing G.R. dated 14.12.2006 (Annexure A-2 in O.A.), two additional

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M.A. 111/2020 in
O.A. St. 1964/2019

increments each were granted to the applicant Nos. 1, 2 and 3 and others vide order dated 12.03.2009 (part of Annexure A-3 collectively in O.A.) and to the applicant No. 4 vide order dated 18.07.2009 (part of Annexure A-3 collectively in O.A.). Pursuant to the above-said order, even fixation was done in respect of the applicant Nos. 1 and 3 vide order dated 30.03.2009 (Annexure A-4 in O.A.). The said pay fixation was not done in respect of the applicant Nos. 2 and 4.

4. Monetary reliefs in respect of said two additional increments each granted to the applicants were however, not released. That was under the pretext of the subsequent G.R. dated 27.02.2009 (Annexure A-5 in O.A.) issued by the Finance Department and Circular dated 03.07.2009 (Annexure A-6 in O.A.). Thereafter, nothing happened.

5. After lapse of so many years, G.R. dated 24.08.2017 (Annexure A-7 in O.A.) was issued by the General Administration Department. By clause No. 3 of the said G.R., the benefits of additional increments extended from 01.01.2006 to 01.12.2015 were not to be given. The said clause of the above-said G.R. dated

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M.A. 111/2020 in
O.A. St. 1964/2019

24.08.2017 was challenged before the Hon'ble High Court of Bombay, Bench at Aurangabad by filing various W.Ps. The Hon'ble High Court by the order dated 03.04.2019 (Annexure A-9 in O.A.) was pleased to hold that the G.R. dated 24.08.2017 cannot be made applicable retrospectively and in that case benefits, those were accorded to the applicants of excellent work in the year 2006, 2007 and 2008 shall not to be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the applicants.

6. In the circumstances as above, it is the contention of the applicants that they have good case on merits. In fact, this is a case of recurring cause of action. The applicants came to know about the decision of the Hon'ble High Court belatedly. Hence, this is a fit case to condone the delay caused in filing the accompanying O.A., which can be said to be technical. Hence, the present Misc. Application.

7. The affidavit in reply is filed on behalf of respondent No. 6 by one Shri Anant Pandurang Kumbhar, Sub Divisional Engineer, working with the

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M.A. 111/2020 in
O.A. St. 1964/2019

respondent No. 6, thereby he denied all the adverse contentions raised by the applicants in the present Misc. Application. It is specifically submitted that the applicants have no case on merits in view of the G.Rs. referred by themselves. Subsequent to grant of alleged additional increments, the applicant Nos. 1, 2 and 3 retired from the service on 31.05.2014, 31.05.2012 and 31.08.2013 respectively. They have accepted their pay fixation and pensionary benefits long back and therefore said to have waived their alleged right. There is huge delay of nine years, which is not explained by the applicants by giving any cogent reasons. Hence, the present Misc. Application is liable to be dismissed.

8. I have heard the arguments advanced by Shri K.G. Salunke, learned Advocate for the applicants, Sanjivani K. Deshmukh-Ghate, learned Advocate for respondent Nos. 1 to 5 and Shri G.N. Patil, learned Advocate for respondent No. 6.

9. Learned Advocate for the applicants at the outset stated that this is a case of recurring cause of action, as the additional increments were already granted, but the monetary benefits were not released. Therefore, the case of the applicants is required to be considered

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M.A. 111/2020 in
O.A. St. 1964/2019

favourably by not adopting the hyper-technicality. To substantiate the said contentions, he placed on record the decision of the Hon'ble Supreme Court reported in **1995 DGLS(SC) 793** in the matter of **M.R. Gupta Vs. Union of India and Ors.** in **Civil Appeal No. 7510 of 1995 (arising out of SLP (Civil) No. 9969 of 1993)** dated 21.08.1995. In the said citation case, there was claim for pay fixation of pay in accordance with rules and it is held that it is a continuing wrong, which gives rise to a recurring cause of action each time salary is paid.

10. In the case in hand, it is evident that though initially there was scheme of granting additional increments for the excellent work done by the applicants, that was stated to be stopped by issuing Circular in the year 2009 and subsequently G.R. dealing with the said subject was issued in the year 2017 only, as discussed in the facts of the case.

11. From the pleadings raised by the applicants, it reveals that the applicants have stated that earlier they had no cause of action and the cause of action arose only after issuance of the G.R. in the year 2017

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M.A. 111/2020 in
O.A. St. 1964/2019

and the decision of the Hon'ble High Court of Judicature At Bombay, Bench at Aurangabad. In view of these facts, it is difficult to hold that this is a case of recurring cause of action.

12. However, that apart from the facts on record, it reveals that during the period from 2010 to 2016, no any G.R. or Circular as regards the status of grant or refusal of additional increments was issued making it applicable retrospectively. That retrospectivity however, is set aside by the decision of the Hon'ble High Court. In all these circumstances, though some negligence can be attributed to the applicants, it cannot be said to be gross or deliberate one. Thereby the applicants had nothing to gain. In fact, from the facts and circumstances on record, it can be said that no certain policy was in existence during the period from 2009 to 2017 for granting or non-granting additional increments. Benefit of this ambiguous situation will have to be given to the applicants by giving them opportunity to contest the O.A., thereby it cannot be said that any other Government servant's right will be prejudiced. The applicants are asserting

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and fighting for their own rights and that too on the basis of earlier orders in their favour.

13. In these circumstances, in my considered opinion, this is a fit case to adopt the liberal view and to condone the delay by imposing moderate costs on the applicants. I compute the costs of Rs. 500/- each to be paid by the applicant Nos. 1 to 4. In the result I proceed to pass following order :-

ORDER

The Misc. Application No. 111/2020 is allowed in following terms:-

- (i) The delay of 9 years caused for filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 500/- each by the applicant Nos. 1 to 4. The amount of costs shall be deposited in the Registry of this Tribunal by the applicant within a period of one month from the date of this order.

//8//

M.A. 111/2020 in
O.A. St. 1964/2019

- (ii) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 358 OF 2019
(Prem H. Kagada Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 29.07.2022 for filing rejoinder affidavit.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 1059 OF 2019
(Kerba N. Jetewad Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Alkesh Jadhav, learned Advocate holding for Shri Shamsunder B. Patil, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 27.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 1061 OF 2019
(Kerba N. Jetewad Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Alkesh Jadhav, learned Advocate holding for Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 3 and 6.

3. S.O. to 27.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 114 OF 2020
(Dagdu G. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Ms. Preeti Wankhade, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 22.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 333 OF 2020
(Arjun M. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 & 3 and Shri Shamsunder B. Pati, learned Advocate for respondent No. 2.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 29.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 346 OF 2020
(Babu R. Adbalwar Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 29.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 549 OF 2020
(Nitin T. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri P.S. Dighe, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply. Hence, the present matter will proceed further in accordance with law.

3. It is made clear that it is responsibility of the applicant to produce on record the necessary documents, if any which will be necessary to decide the present Original Application.

4. S.O. to 25.07.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 587 OF 2020
(Kumudini R. Sable Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri V.C. Suradkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 25.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 113 OF 2021
(Vaijanath B. Navande Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri V.B. Dhage, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 27.07.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 409 OF 2021
(Govind R. More Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate holding for Smt. Priya Bharaswadkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 27.07.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 466 OF 2021
(Dr. Yashwant M. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Alkesh Jadhav, learned Advocate holding for Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 01.08.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 504 OF 2021
(Dilip B. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri M.D. Godhamgaonkar, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 29.07.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 505 OF 2021
(Bhaskar V. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri G.N. Kulkarni (Mardikar), learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 & 2. Shri I.D. Maniyar, learned Advocate for respondent No. 3 and Shri S.S. Ware, learned Advocate for respondent No. 4, **are absent.**

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 29.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 560 OF 2021
(Motiram D. Dakhore Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 01.08.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 585 OF 2021
(Latabai D. Avhad Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri D.K. Dagadkhair, learned Advocate for the applicant (**Leave Note**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 01.08.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 592 OF 2021
(Khandu H. Wane Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 01.08.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 620 OF 2021
(Dilip N. Dhonde Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 26.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 650 OF 2021
(Prakash T. Vaichal Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri A.D. Kaware, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 27.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 681 OF 2021
(Govind H. Darade Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 5.
3. S.O. to 29.07.2022. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 686 OF 2021
(Mahesh G. Premalwad Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 27.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 746 OF 2021
(Tilottama U. Bhatkar Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 01.08.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 35 OF 2022
(Vikas R. Pradhan Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 28.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 41 OF 2022
(Nagesh D. Harne and Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 18.07.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 89 OF 2022
(Bhaskar V. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri A.M. Hajare, learned Advocate for the applicant and Shri M.S. Mahajan, learned Presenting Officer for the respondents.

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

3. S.O. to 28.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 103 OF 2022
(Tushar V. Veldandi Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.B. Kakde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Await service of notice on respondents.

3. At the request of learned Advocate for the applicant, S.O. to 18.07.2022 for filing service affidavit.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 170 OF 2022
(Rajaram R. Zende Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.
3. S.O. to 01.08.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 180 OF 2022
(Deepak D. Kharath Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 01.08.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 274 OF 2022
(Vajjnath P. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 27.07.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 296 OF 2022
(Madhuri U. Choudhari Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri A.V. Lavte, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

3. S.O. to 25.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 297 OF 2022
(Sandipan K. Kalle Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 26.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 326 OF 2022
(Ulhas S. Pawar and Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 25.07.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION `NO. 339 OF 2022
(Shahurao A. Kakde Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 01.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 355 OF 2022
(Baveshwar J. Warad Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri P.P. Dama, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 28.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO. 372 OF 2022
(Balasaheb S. Korekar Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 01.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 497 OF 2022
(Sachin J. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 21.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 613 OF 2021
(Digambar R. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri S.S. Jadhavar, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 25.07.2022.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

M.A. No. 41/2020 in O.A. No. 928/2019
(Chandmiyan Babar Munde Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 26.07.2022.

MEMBER (J)

M.A. No. 15/2021 in O.A. St. No. 1139/2020
(Chunnilal R. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri S.N. Suryawanshi, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondent No. 5. Shri S.P. Pandit, learned Advocate for respondent Nos. 1 to 4, **absent**.

2. As none present for the applicant, S.O. to 01.08.2022 for filing rejoinder affidavit in M.A., if any.

MEMBER (J)

KPB ORAL ORDERS 04.07.2022

M.A. No. 80/2021 in O.A. St. No. 157/2021
(Digambar D. Vedpathak Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri P.D. Dadpe, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Notices not collected by the applicant.

3. As none present for the applicant, S.O. to 01.08.2022 for taking necessary steps.

MEMBER (J)

**M.A. No. 250/2021 in O.A. St. No. 999/2021
(Pramod P. Narkhede Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply in M.A. Hence, the present matter will proceed further in accordance with law.

3. S.O. to 22.07.2022 for hearing.

MEMBER (J)

**M.A. No. 251/2021 in O.A. St. No.1001/2021
(Manohar J. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply in M.A. Hence, the present matter will proceed further in accordance with law.

3. S.O. to 22.07.2022 for hearing.

MEMBER (J)

**M.A.NO.270 OF 2022 IN O.A.ST.NO.845 OF 2022
(Chaus Aslam Chaus Alimuslim Vs. State of Maharashtra &
Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Shri A.V. Sakolkar, learned Advocate for the applicant, is **absent**. Heard Smt. M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 26.07.2022.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**M.A.NO.271 OF 2022 IN O.A.ST.NO.847 OF 2022
(Sakharam V. Pande Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Shri A.V. Sakolkar, learned Advocate for the applicant, is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 26.07.2022.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**M.A.NO.272 OF 2022 IN O.A.ST.NO.849 OF 2022
(Faruq Mehmood Qudri Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Shri A.V. Sakolkar, learned Advocate for the applicant, is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 26.07.2022.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO.478 OF 2022
(Deepak A. Mudiraj Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 27.07.2022.

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.

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O.A.478/2022

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 27.07.2022.

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

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.480 OF 2022
(Amol V. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri G.P. Darandale, learned Advocate holding for Shri Amol N. Kakade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 11.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.572 OF 2022
(Naseeb Khan Maheboob Khan Singal Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 27.07.2022.

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.

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O.A.572/2022

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 27.07.2022.

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

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO.577 OF 2022
(Yogesh G. Salunke Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 26.07.2022.

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.

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O.A.577/2022

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 26.07.2022.

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

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION ST.NO.307 OF 2022
(Jaydatt R. Bhusare Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri B.B. Kulkarni, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 21.07.2022 for taking necessary steps in respect of office objection.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO.1062 OF 2022
(Rahul V. Talke Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Keeping open the point of maintainability of filing departmental appeal, issue notice to respondents, returnable on 18.07.2022.

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.

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O.A.St.1062/2022

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 18.07.2022.

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

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.175 OF 2021
(Ajay R. More Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

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

2. Affidavit-in-rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant submits that he seeks to amend the Original Application and he will make necessary application.

4. S.O. to 11.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.226 OF 2021
(Khilesh K. Choudhari Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri T.R. Daware, learned Advocate holding for Shri R.S. Gaikwad, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Record shows that the pleadings are complete. The matter is pertaining to compassionate appointment.

3. It is admitted and fixed for final hearing on 28.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.591 OF 2021
(Vaishnavi S. Landage Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Sushant B. Chaudhari, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Record shows that the pleadings are complete. The matter is pertaining to compassionate appointment.

3. It is admitted and fixed for final hearing on 28.07.2022.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.113 OF 2022
(Vijay B. Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that the pleadings are complete. The matter is pertaining to regularization of suspension period.

3. It is admitted and fixed for final hearing on 28.07.2022.

MEMBER (J)

**M.A.NO.282 OF 2022 IN M.A.NO.100 OF 2018 IN
O.A.ST.NO.398 OF 2018
(Vitthal D. Savalsure Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notice to respondents in M.A.No.282/2022, returnable on 28.07.2022.

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.

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M.A.282/2022 In
M.A.100/2018 In
O.A.St.398/2018

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 28.07.2022.

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

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.315 OF 2019
(Jeevan G. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.L. Bhapkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 to 4. Shri M.M. Bhokariar, learned Advocate for the respondent No.5, is **absent**.

2. Additional affidavit tendered by the applicant is taken on record and copy thereof has been served on the other side.

3. At the request of the learned P.O., S.O. to 18.07.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.981 OF 2019
(Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate holding for Shri G.V. Mohekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 08.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO.879 OF 2018
(Balasaheb M. Kaldate Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 29.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.420 OF 2019
(Raju P. Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 26.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.434 OF 2019
(Namdeo S. Ghone Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 26.07.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.889 OF 2019
(Vijaykumar G. Birajdar Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri G.G. Ladde, learned Advocate appeared today and he has filed **VAKALATNAMA** on behalf of the applicant by obtaining no objection from the earlier Advocate. The same is taken on record.

Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. By consent of both the sides, S.O. to 26.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.137 OF 2020
(Lalit G. Pandule Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 28.07.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.225 OF 2020
(Subhash M. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos.1 to 3. Shri K.J. Suryawanshi, learned Advocate for the respondent Nos.4 & 6, is **absent**. None present on behalf of the respondent No.5, though duly served.

2. By consent of both the sides, S.O. to 11.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.50 OF 2021
(Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate holding for Shri G.V. Mohekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 18.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.930 OF 2016
(Chudaman D. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Shrikant Patil, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. During the course of arguments, learned Advocate for the applicant submitted that by Government order dated 10.08.2020, the departmental enquiry initiated against the applicant was dropped and the said fact is noted in the Original Application No.931 of 2016 and accordingly the Original Application No.931 of 2016 was disposed of by order dated 26.08.2021.

3. Record shows that the copy of order dated 26.08.2021 passed in O.A.No.931/2016 is produced on record in this matter but the copy of Government order dated 10.08.2020 is not produced on record.

4. The applicant to produce on record the said document today itself.

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O.A.930/2016

5. The copy of said order be taken on record and marked as document 'X-1' for the purpose of identification.
6. The present matter is closed for order.

MEMBER (J)

ORIGINAL APPLICATION NO.889 OF 2018
(Sayyed M. Aminoddin Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Shrikant Patil, learned Advocate holding for Shri S.R. Dheple, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 26.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.79 OF 2021
(Anil S. Puranik Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits that during the course of day he would file additional affidavit in response to the short affidavit filed by the applicant.

3. S.O. to 12.07.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.766 OF 2016
(Rambhau T. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri A.D. Gadekar, learned Advocate for the applicant has filed **leave note**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondent Nos.1 & 4. Smt. Sunita D. Shelke, learned Advocate for the respondent Nos.2 & 3, is **absent**.

2. In view of leave note of learned Advocate for the applicant and in view of absence of learned Advocate for the respondent Nos.2 & 3, S.O. to 21.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.116 OF 2017
(Dr. Dhanraj W. Kendre Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Vijay V. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submitted that the Government has considered the claim of the applicant as regards the deemed date of promotion. However, the claim pertaining to selection grade pay still remains.

3. He submits that he would produce the copy of order issued by the Government in respect of deemed date of promotion.

4. At the request of the learned Advocate for the applicant, S.O. to 15.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.810 OF 2018
(Somnath G. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Shri Yogesh H. Jadhav, learned Advocate for the applicant, is **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 27.07.2022 for passing necessary order.

MEMBER (J)

ORIGINAL APPLICATION NO.103 OF 2019
(Balkrishna R. chhallare Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri Sanket N. Suryawanshi, learned Advocate for the applicant, is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 28.07.2022 for passing necessary order.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO.338 OF 2019
(Chandrabahn B. Thorat Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri O.D. Mane, learned Advocate for the applicant has filed **leave note**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. In view of leave note of learned Advocate for the applicant, S.O. to 29.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.457 OF 2019
(Ashish G. Vaishnav Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Manoj M. Kadtu, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The present matter be treated as part heard.
3. By consent of both the sides, S.O. to 12.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.139 OF 2019
(Madhukar R. Dusane Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO.946 OF 2018
(Kailas D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicants in both these O.As. has filed **leave note**. Heard Shri M.P. Gude, learned Presenting Officer for the respondent Nos.1 to 3 in O.A.No.139/2019 and for respondent Nos.1 & 2 in O.A.No.946/2018. Smt. Sunita D. Shelke, learned Advocate for the respondent No.3 in O.A.No.946/2018 is **absent**.

2. In view of leave note of learned Advocate for the applicants and in view of absence of learned Advocate for the respondent No.3 in O.A.No.946/2018, S.O. to 28.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.1087 OF 2019
(Ravindra B. Chobe Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present matter be treated as part heard.
3. By consent of both the sides, S.O. to 19.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.97 OF 2020
(Tukaram V. Sanap Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri M.R. Andhale, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 26.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.211 OF 2020
(Nilesh B. Dighe Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Shri M.S. Taur, learned Advocate for the applicant, is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 29.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO.347 OF 2021
(Suresh K. Bharati Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri S.A. Kulkarni, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 15.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO.834 OF 2021
(Syed Khaled Syed Khalil Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The present matter is closed for order.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

ORIGINAL APPLICATION NO.82 OF 2020
(Sharad M. Panchange Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Affidavit-in-rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 26.07.2022 for admission.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.197 OF 2020
(Vijay R. Suryawanshi Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant and D.R. Patil, Presenting Officer for the respondents.

2. Record shows that on the last occasion, one more last chance was granted to the respondents for filing affidavit-in-reply. However, affidavit-in-reply is not filed.

3. Today also learned P.O. seeks time for filing affidavit-in-reply.

4. In view of same, though the learned P.O. for the respondents seeks time for filing affidavit-in-reply, the respondents are not entitled for seeking time.

5. In view of above, the prayer for granting time is rejected. The matter to proceed further in accordance with law.

6. The applicant to produce on record the requisite documents necessary for deciding the said Original Application.

7. S.O. to 18.07.2022 for admission.

MEMBER (J)

**ORIGINAL APPLICATION NO.167 OF 2021
(Rupesh S. Nagrale Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 26.07.2022.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.235 OF 2021
(Hirasingh K. Chandelthakur Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Shri K.A. Ingae, learned Advocate for the applicant, is **absent**. Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.3 & 4 is taken on record.
3. Learned P.O. deposited extra copy of reply for the applicant.
4. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 & 2.
5. S.O. to 27.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.328 OF 2021
(Vijaykumar G. Biradar Vs. State of Maharashtra & Ors.)

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

DATE : 04.07.2022

ORAL ORDER :

Shri G.G. Ladde, learned Advocate appeared today and he has filed **VAKALATNAMA** on behalf of the applicant by obtaining no objection from the earlier Advocate. The same is taken on record.

Shri B.S. Deokar, learned Presenting Officer for the respondents, is present.

2. Affidavit-in-sur-rejoinder filed on behalf of the respondent Nos.1 to 5 is taken on record and copy thereof has been served on the other side.

3. S.O. to 26.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.348 OF 2021
(Ballaji M. Ghulekar Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri M.V. Thorat, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 15.07.2022 for filing service affidavit in respect of respondent No.2.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.470 OF 2021
(Nanda K. Kshirsagar Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.

3. S.O. to 25.07.2022 for admission.

MEMBER (J)

SAS ORAL ORDERS 04.07.2022

**ORIGINAL APPLICATION NO.601 OF 2021
(Ramesh M. Darekar Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 to 4 is taken on record and copy thereof has been served on the other side.

3. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.

4. S.O. to 26.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.20 OF 2021
(Dnyaneshwar B. Sanap Vs. State of Maharashtra & Ors.)**

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

DATE : 04.07.2022

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that on the last occasion, one more last chance was granted to the respondents for filing affidavit-in-reply. However, affidavit-in-reply is not filed.
3. Today also learned C.P.O. seeks time for filing affidavit-in-reply.
4. In view of same, though the learned C.P.O. for the respondents seeks time for filing affidavit-in-reply, the respondents are not entitled for seeking time.
5. In view of above, the prayer for granting time is rejected. The matter to proceed further in accordance with law.
6. The applicant to produce on record the requisite documents necessary for deciding the said Original Application.
7. S.O. to 25.07.2022 for admission.

MEMBER (J)

**ORIGINAL APPLICATION NO. 519 OF 2022
(Dnyaneshwar B. Wadile Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 10.8.2022.
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 10.8.2022.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**M.A.NO. 278/2022 IN O.A.NO. 25/2021
(State of Maharashtra & Ors. Vs. Shankar P. Dange)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the applicants in M.A. / respondent authorities in O.A. and Shri R.J. Nirmal, learned counsel for the respondent in M.A. / applicant in O.A.

2. Shri R.J. Nirmal, learned counsel for respondent in M.A./ applicant in O.A. has tendered across the bar affidavit in reply to the M.A. and the same is taken on record and copy thereof has been served on the other side.

3 This Miscellaneous Application is filed with the following prayers: -

“a) this Hon'ble Tribunal be pleased to grant an additional period of six weeks to do the needful in accordance with the order of this Hon'ble Tribunal dated 06.05.2022 in O.A. No. 25/2021;

b) this Hon'ble Tribunal be pleased to pass such further and other order as may deem fit and proper in the facts and circumstances of the case in the interest of justice.”

3. From the prayers it appears that six weeks' time is sought for compliance of the order passed by this Tribunal on 6.5.2022. However, during the course of the arguments it is revealed that time is sought for filing review application. In

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**M.A.NO. 278/2022 IN
O.A.NO. 25/2021**

the contents of the application also the said intention is reflected. In the O.A. the following order has been passed: -

“O R D E R

(Date : - 6.5.2022)

The Original Application No. 25 of 2021 is allowed in following terms :-

(A) The Recommendation made by the Departmental Promotion Committee held on 23.12.2020 is hereby quashed and set aside

(B) Process of promotion to the post of Joint Director (Dental) in the Directorate should be drawn afresh according to Recruitment Rules, 1988 within a period of six weeks.

(C) No order s to costs.

MEMBER (A) VICE-CHAIRMAN

After pronouncement of the order, learned Counsel for respondent No. 4 has prayed that respondent No. 4 shall be continued on the post of Joint Director (Dental) till process of promotions as directed in the present order is completed by the respondent authorities.

The request is opposed by the learned counsel for the applicant.

Learned Presenting Officer has submitted for passing appropriate order.

In view of the submissions so made, we pass the following order: -

ORDER

The respondent authorities shall allow the respondent No. 4 to continue to hold the post of Joint Director (Dental) till process of promotion as directed to be completed afresh vide present order is completed.”

4. Considering the order passed in O.A. it does not appear to me that any more time is required for compliance of the order passed by this Tribunal. Insofar as review of that order is concerned, it was open for the State to file appropriate application therefor within the stipulated period. In the circumstances, I do not see any reason for entertaining the present Misc. Application. The application, therefore, stands rejected. No order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 233 OF 2021
(Balasaheb Kachru Jadhav Vs. State of Maharashtra &
Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Heard Shri Pramod A. Kulkarni, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant, on instructions, submits that the purpose of filing of O.A. is served. He has, therefore, sought permission of this Tribunal to withdraw the present Original Application. Hence, the following order: -

ORDER

The present Original Application stands disposed of since withdrawn without any order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 234 OF 2021
(Rameshwar Eknath Chadidar Vs. State of Maharashtra &
Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Heard Shri Pramod A. Kulkarni, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant, on instructions, submits that the purpose of filing of O.A. is served. He has, therefore, sought permission of this Tribunal to withdraw the present Original Application. Hence, the following order: -

ORDER

The present Original Application stands disposed of since withdrawn without any order as to costs.

VICE CHAIRMAN

**M.A.NO. 273/2022 IN O.A.ST.NO. 943/2022
(Rajesh S. Parhe & Anr. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Heard Shri P.G. Rodge, learned counsel holding for Shri Krishna P. Rodge, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

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

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

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 943 OF 2022
(Rajesh S. Parhe & Anr. Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Heard Shri P.G. Rodge, learned counsel holding for Shri Krishna P. Rodge, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 8.8.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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O.A. ST.NO. 943/2022

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 8.8.2022.

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

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

REV.NO. 1/2022 IN O.A.NO. 384/2019
(Vinayak B. Kapse & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri M.B. Kolpe, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicants, S.O. to 27.7.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 38 OF 2021
(Indalsing M. Jadhav Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Yogesh H. Jadhav, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Chief Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 1.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 704 OF 2021
(Sanjay G. Mali Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri P.A. Pisal, learned counsel for the applicant
(**absent**). Shri N.U. Yadav, learned Presenting Officer for
the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to
2.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**M.A. 146/20 IN M.A.ST.418/20 IN O.A.ST.419/20
(Maharashtra Rajya Pashu Sawardhan Abhiyantriki
Karmachari Sanghatana Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Gaurav L. Deshpande, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 1.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 25 OF 2019
(Dnyaneshwar D. Kale Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that on 19.4.2022 when this Tribunal directed the applicant to amend the O.A. though the applicant was having knowledge that some persons who have not qualified the examination as per the qualifying rules have also been promoted, he was not having list of the said candidates. Learned counsel submits that the said list is now available with him. He has, therefore, sought leave to mention those names by way of amendment. The request is allowed. The learned counsel for the applicant shall carry out the necessary amendment within a week.

3. S.O. to 27.7.2022.

VICE CHAIRMAN

**O.A.NOS. 179, 180, 279, 280, 346 ALL OF 2019
(Dr. Suryakant D. Sonkhedkar & Ors. Vs. State of
Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : 4.7.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. Learned counsel for the applicants has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 11.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 615 OF 2019
(Shafi K. Shaikh Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

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

2. S.O. to 12.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 934 OF 2019
(Madhukar K. Shingade Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 987 OF 2019
(Bhimrao B. Shirshipurkar & Ors. Vs. State of Maharashtra
& Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri M.R. Wagh, learned counsel for the applicants
and Shri M.S. Mahajan, learned Chief Presenting Officer for
the respondent authorities, are present.

2. Learned counsel for the applicants has sought time
for filing rejoinder affidavit. Time granted.
3. S.O. to 4.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 412 OF 2020
(Omprakash H. Kothari Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent No. 4, are present.

2. Learned Presenting Officer has tendered across the affidavit in reply on behalf of respondent Nos. 2 & 4 and the same is taken on record and copy thereof has been served on the other side.

3. Learned counsel for the applicant has sought time for filing rejoinder affidavit, if any. Time granted.

4. S.O. to 17.8.2022. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 292 OF 2020
(Bhatu J. Borse & Ors. Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

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

2. S.O. to 17.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 12 OF 2021
(Sadat Begum Arifoddin Siddique Vs. State of Maharashtra
& Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri M.S. Choudhari, learned counsel for the applicant and Shri S.K. Shirse, 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 18.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 362 OF 2022
(Dr. Ashok S. Gawali Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, 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 18.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

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

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Mrs. Deepali S. Deshpande, 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 19.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 390 OF 2022
(Rajdeepsingh G. Sardar Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Sandeep Munde, learned counsel holding for Shri Rahul R. Karpe, learned counsel for the applicant and Smt. Sanjiveeni Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy of the same has been served on the other side.

3. Learned counsel for the applicant has sought time for filing rejoinder affidavit, if any. Time granted.

4. S.O. to 19.8.2022.

VICE CHAIRMAN

**M.A.NO. 27/2021 IN O.A.ST.NO. 47/2021
(Ramesh L. Kamble Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Sajitkhan M. Pathan, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Chief Presenting Officer for the respondent authorities, is present.

2. Await service.
3. S.O. to 2.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**M.A.NO. 205/2021 IN O.A.ST.NO. 2467/2019
(Vijaykumar B. Rathi Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri M.M. Bhokarikar, learned counsel for the applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 3.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**M.A. 269/21 IN M.A.ST.802/21 IN O.A.ST.803/21
(Shafi K. Shaikh Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri R.C. Bramhankar, learned counsel for the applicant and Shri I.S. Thorat, 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 15.7.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**M.A.NO. 324/2021 IN O.A.ST.NO. 947/2021
(Dr. Sudam H. Mogle Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri M.P. Gude, 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 5.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**M.A.NO. 52/2022 IN O.A.ST.NO. 1561/2021
(Sayed Imran Ahmed Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri C.R. Thorat, learned counsel for the applicant
(**absent**). Smt. M.S. Patni, learned Presenting Officer for
the respondent authorities, is present.

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

3. S.O. to 8.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**M.A.NO. 69/2022 IN O.A.ST.NO. 43/2022
(Bhausahab P Tidke & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, 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 10.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**M.A.NO. 142/2022 IN O.A.ST.NO. 562/2022
(Rajratan S. Ippalwad Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : 4.7.2022

ORAL ORDER :

Ms. Megha Mali, learned counsel holding for Shri S.K. Mathpati, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

4. S.O. to 11.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

Date : 04.07.2022
ORIGINAL APPLICATION NO. 593 OF 2022
(Shaikh Zubair V/s State of Maharashtra & Ors.)

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

1. Shri S.B. Solanke, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 01.08.2022. The case be listed for admission hearing on **01.08.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 04.07.2022
ORIGINAL APPLICATION NO. 584 OF 2022
(Balaji T Kedare V/s State of Maharashtra & Ors.)

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

1. Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 29.07.2022. The case be listed for admission hearing on **29.07.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

**M.A.NO. 244/2022 IN O.A.NO. 215/2022
(Santosh R. Bhosale & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri U.L. Momale/M.S. Deshmukh, learned counsel for the applicants in M.A. No. 244/2022 and for respondent Nos. 4 to 20 & 22 to 24 in O.A. No. 215/2022, Shri Avinash S. Deshmukh, learned counsel for the applicant in O.A. No. 215/2022 and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request and by consent of both the parties, S.O. to 14.7.2022. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 768 OF 2019
(Balasaheb T. Deshmukh Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 26.7.2022. High on board.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD

**ORIGINAL APPLICATION NO. 757 OF 2019
(Dr. Munna Afreen Abdul Gaffar Vs. State of Maharashtra
& Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **4.7.2022**

ORAL ORDER :

Shri Jayant S. Deshmukh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 2.8.2022.

VICE CHAIRMAN

ORAL ORDERS 4.7.2022-HDD