

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

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

**Before: - THE HON'BLE JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN**

**And**

**THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)**

**Date:- 04/12/2023**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Urgent Admission Matters</b>						
1	CP14/23 In OA533/22	A'bad	Adv.C.V. Thombre (Diwakar M Jadhav)	Contempt Petition	For Hearing Reply Filed by R-1 to R-3	9.1.2024
2	CP56/23 In OA67/20	Jalna	Adv A B Rajkar (Bansi G Bangar)	Contempt Petition		16.1.2024
3	CP72/23 In OA580/22	Latur	Adv.K.G. Salunke (Ramhari G Sontakke)	Contempt Petition		11.1.2024
4	MA516/23 In CPSt2162/23 In OA133/17	A'bad	Adv.Anant D Gadekar (Radhakrushna S Bodkhe)	M.A. For Condonation of Delay		17.1.2024
5	OA857/23	Nanded	Adv.Sudhir R Barlinge (Prakash D Waghmare)	Promotion		18.1.2024
6	OA1022/23	Nanded	Adv.B.R. Kedar (Dr.Yogendra G Yeotikar)	Selection Process (MPSC)	<b>Circulation</b>	14.12.2023
7	OAS2247/23	O'bad	Adv.S.A. Wakure (Kaka B	Selection Process	<b>With Office Objection</b>	14.12.2023

			Waghmare)			
8	OAS2249/23	A'nagar	Adv.Ajit B Kale (Muladharan Prakalpagrasth Kruti Samiti, A'nagar through Secretary Maruti S Bachkar)	Selection Process	<b>With Office Objection</b>	21.12.2023
9	MA547/23 In OA917/23	Beed	Adv.Amol B Chalak In <b>MA547/23</b> (Kanad T Ugalmugle) <b><u>Adv.Mohit R Deshmukh in OA917/23</u></b> (Balasaheb S Choure)	M.A. For Vacating I.R.	<b>Circulation</b>	11.12.2023
<b>Order Matters</b>						
10	MA498/19 In OAST1959/19	P'bhani	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Ramrao D Rathod)	M.A. For Condonation of Delay	Reply Filed by R-1 to R-4 <b>Ref.Order dtd. 28.04.2023</b>	25.1.2024
11	MA249/20 In OAS21009/19	Beed	Adv.S.S. Thombre (Bharat S Maher)	M.A. For Interim Relief	For Hearing	
12	MA1/21 In OAS21443/20	Hingoli	Adv.V.G. Pingle (Smt. Ratnabai G Gaikwad)	M.A. For Condonation of Delay	For Hearing	25.1.2024
13	MA324/21 In OAS21947/21	Latur	Adv.Shamsunder B Patil (Dr. Sudam H	M.A. For Condonation of Delay	For Hearing	10.1.2024

			Mogle)			
<b>14</b>	MASt1599/21 In OASSt1553/21	A'nagar	Adv.A.D. Aghav (Sham G Shinde)	M.A. For Condonation of Delay	<b>With Office Objection</b> For Hearing Reply Filed by R-1 to R-4	23.1.2024
<b>15</b>	MA16/22 In OASSt1505/21	A'nagar	Adv.V.B. Wagh (Ramesh R Kulthe)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 & R-3	5.12.2023
<b>16</b>	MA206/23 In OA211/22	A'bad	Adv.Shamsunder B Patil (Smita R Achme)	M.A. For I.R., Directions & Fixing date For Final Hearing	For Hearing	8.1.2024

<b>17</b>	MA255/23 IN MASt817/23 In OA227/23	A'bad	<b>Adv.Ajay Deshpande For Special Counsel For State Respondent</b> Adv.K.J. Ghute Patil/ Adv.A.B. Rajkar <b>In</b> <b>MA255/23</b> (Malhari E Mane & Ors.)  Adv.Harish S Bali <b>In</b> <b>MASt817/23</b> (Shahu L Satpal & Ors.)  Adv.H.S. Bali/ Adv.S.H. Bali <b>For</b> <b>Intervenor In 217/23</b> (Shahu L Satpal & Ors.)  Adv.K.J. Ghute Patil/ Adv.A.B. Rajkar <b>For</b> <b>Intervenor In</b>	MA255/23 For Modificatio n of Order  MASt817/23 3 For Modificatio n of Order		12.12.2023
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			<b>MA216/23</b> (Malhari E Mane & Ors.) Adv.N.N. Gore/ Adv.S.R. Sapkal <b>In</b> <b>OA227/23</b> (Digambar S Pawar & Ors.)			
<b>18</b>	MA375/23 In OA254/22	A'nagar	Adv.A.W. Khadse/ Adv.R.J. Nirmal (Sandip W Khasdse)	M.A. For Direction	For Hearing Reply Filed by R-1 to R-3	8.12.2023
<b>19</b>	MA482/23 In OA680/23	Nanded	Adv.M.R. Kulkarni <b>In</b> <b>MA482/23</b> (Dr.Sudhatai S Karadkhedkar) <b><u>Adv.Preeti R</u></b> <b><u>Wankhade in</u></b> <b><u>OA680/23</u></b> (Dr.Vandana B Dudhamal)	M.A. For Intervention		19.12.2023
<b>20</b>	MA502/23 In OA716/23	A'bad	Adv.V.B. Wagh (Kailas G Datkhil)	M.A. For I.R.	Reply Filed by R-1 & R-2 In OA716/23	5.12.2023
<b>Due Admission Matters</b>						
<b>21</b>	CP50/19 In OA242/17 with	J'gaoan	Adv.Anant D Sugdare (Mohan R Chaudhari) <b><u>Adv.Sunita D Shelke</u></b> <b><u>for R.Nos.2 &amp; 3</u></b>	Contempt Petition	For Hearing Reply filed By R-1	22.1.2024
<b>22</b>	CP51/19 In OA648/17 with	J'gaoan	Adv.A.D. Sugdare (Bhaskar S Patil) <b><u>Adv.Sunita D Shelke</u></b> <b><u>for R.Nos.3 &amp; 4</u></b>	Contempt Petition	For Hearing Reply filed By R-1	22.1.2024
<b>23</b>	CP52/19 In OA878/16	J'gaoan	Adv.A.D. Sugdare (Nitinkumar T Adhe) <b><u>Adv.Sunita D Shelke</u></b> <b><u>for R.Nos.3 &amp; 4</u></b>	Contempt Petition	For Hearing Reply filed By R-1	22.1.2024

24	CP22/21 In OA947/18 with	J'gao n	Adv.A.D. Sugdare (Bhagwat T Chaudhari) <b><u>Adv.Sunita D Shelke</u></b> <b>for R.No.3</b>	Contempt Petition	For Hearing	22.1.2024
25	CP23/21 In OA432/18 with	J'gao n	Adv.A.D. Sugdare (Ajabrao R Patil) <b><u>Adv.Sunita D Shelke</u></b> <b>for R.No.3</b>	Contempt Petition	For Hearing	22.1.2024
26	CP24/21 In OA169/18	J'gao n	Adv.A.D. Sugdare (Shankar D Chaudhari) <b><u>Adv.Yogesh M Patil</u></b> <b>For R.No.3</b>	Contempt Petition	For Hearing	22.1.2024
27	OA963/17	A'bad	Adv.Avinash S Deshmukh <b>Adv.Avinash S Deshmukh has Filed Leave Note From 21.11.2023 to 12.12.2023</b> (Vasant D Karke & Ors.)	Not to Terminate the Service/ Regularisati on/ Continue in Service	For Hearing Reply filed by R-1 to R-4	23.1.2024
28	OA685/19	N'bar	Adv.S.D. Joshi (Shivaji R Thakare)	Department al Enquiry/ Recovery	For Hearing Reply Filed by R-3	21.12.202 3
29	OA78/20	Hingo li	Adv.Mohit Deshmukh (Nagorao R Paikrao) <b><u>Adv.Shamsunder B Patil for R.Nos.3 to 5</u></b>	Promotion	For Hearing Reply Filed by R-3 to R-5	12.1.2024
30	OA113/20	Dhule	Adv.Ashish B Rajkar (Graduate Part Time Employees Association, Dhule through its President Sanjay N Brahmane(Tembhekar)	Appointmen t	For Admission Reply Filed by R-1 to R-3	7.12.2023
31	OA190/20	A'bad	Adv.V.B. Wagh (Rajendra S Aware)	Pay Protection/ Pay Fixation	For Hearing Reply Filed by R-1 to R-3	5.2.2024
32	OA292/20	J'gao n	Adv.Ajay S Deshpande (Bhatu J Borse & Ors.)	Appointmen t	For Hearing Reply Filed by R-1 & R-4 & For Filing Affidavit in Rejoinder	4.1.2024

33	OA383/20	Hingoli	Adv.Omprakash Y Kashid/ Adv.V.T. Patil (Sachin D Maindale)	Departmental Enquiry	For Admission Reply Filed by R-3 to R-6	15.1.2024
34	OA540/20	A'bad	Adv.Preeti R Wankhade (Shaikh Akbar Shaikh Rasul)	Deemed date of Appointment	For Admission Reply Filed by R-1 to R-3	25.1.2024
35	OA27/21	Nanded	Adv.Dhananjay A Mane (Mohan G Wadajkar)	Major Punishment/ Quashing Chargesheet / Pension	For Hearing Reply Filed by R-1	9.1.2024
36	OA28/21	A'bad	Adv.Dhananjay A Mane (Gorakh B Dhakane)	Major Punishment/ Quashing Chargesheet / Pension	For Hearing Reply Filed by R-1	9.1.2024
37	OA249/21 With	A'bad	Adv.J.S. Deshmukh (Dr. Pandit R Rathod & Ors) <b><u>Adv. Rakesh Jain for R.No.6</u></b> <b><u>Adv.B.S. Shinde For R.No.2</u></b> <b><u>Adv.C.D. Biradar For R.No.5</u></b>	Condonation of Technical break/ Increment	For Hearing Reply Filed by R-6	23.1.2024
38	OA251/21	A'bad	Adv.J. S. Deshmukh (Dr. Swapnil S Ajabe & Ors) <b><u>Adv.Ashwini Hoge Patil For R.No.4</u></b> <b><u>Adv.N.U. Yadav fo R.No.10</u></b> <b><u>Adv.Sahebrao G Nandedkar/Adv.Anup Parihar for R.No.11</u></b>	Condonation of Technical break/ Annual Increment/ Revised Pay Fixation	For Hearing Reply Filed by R-1 to R-5 & R-7 to R-9	23.1.2024

39	OA622/21	J'gaon	Adv.Ravindra V Gore (Arjun R Deshmukh(Gawali))	Appointment	For Admission Reply Filed by R-1 to R-3	7.12.2023
40	OA636/21	Beed	Adv.S.D. Joshi (Vitthal S Jadhav)	Revision of Pay Scale/ Punishment	For Hearing Reply Filed by R-1 to R-3	19.1.2024
41	OA655/21	Jalna	Adv.U.L. Telgaonkar/ Adv.N.U. Telgaonkar (Rahul D Gaikwad)	Termination	For Hearing Reply Filed by R-1 & R-2	30.1.2024
42	OA734/21	Latur	Adv.M.L. Dharashive/ Adv.Shilpa Awchar (Ganesh S Panchal)	Termination	For Admission Reply Filed by R-1 to R-4	19.1.2024
43	OA819/21	A'nagar	Adv.P.R. Wankhade (Laxman G Lagad & Ors.)	Challenging G.R.	For Admission Reply Filed by R-1 to R-6	30.1.2024
44	OA47/22	A'nagar	Adv.S.D. Joshi (Sanjay V Sonawane)	Interivew	For Hearing Reply Filed by R-1 to R-3	31.1.2024
45	OA58/22	A'bad	Adv.Mohit Deshmukh (Dr. Sanjay K Muley & Ors.)	Advertisement	For Admission Reply Filed by R-2	
46	OA86/22	O'bad	Adv.R.D. Khadap (Ranjit D Shingare)	Challenging Amended Rules/ Examination Result	For Hearing Reply Filed by R-3	18.1.2024
47	OA143/22	P'bhani	Adv.J.S. Deshmukh (Dr.Amol K Chavan)	Admission Process	For Admission	5.2.2024
48	OA161/22	O'bad	Adv.Kakasaheb B Jadhav (Bharat A Sawant)	Departmental Enquiry	For Hearing Reply Filed by R-2 to R-4	15.1.2024
49	OA655/22	N'bar	Adv.F.R. Tandale (Madhav C Padvi)	Departmental Enquiry	Reply Filed by R-1 & R-2	5.12.2023

50	OA811/22	A'bad	Adv.A.S. Shelke (The Association of the Ministerial Services of department of Agriculture, Maharashtra State, Pune Through its General Secretary Shri Ashok Kale & Ors.)	Challenging Recruitment Rules/ Advertisement	For Hearing Reply Filed by R-1 to R-3	17.1.2024
51	OA830/22	A'bad	Adv.Abhay R Rathod (Saheb P Kapure)	De Novo Enquiry	For Hearing Reply Filed by R-1 to R-4	11.1.2024
52	OA975/22	A'bad	Adv.Amol R Gaikwad (Dattatraya D Sonune)	Suspension Period/ Duty Benefits/ Punishment	<b><u>For Further Consideration</u></b> Reply Filed by R-1 to R-6	16.1.2024
53	OA96/23	A'bad	Adv.K.B. Jadhav (Nanasaheb B Patait & Ors.)	Correction in Date of Joining/ Seniority	<b><u>For Further Consideration</u></b> Reply Filed by R-1 to R-4	4.1.2024
54	OA183/23	A'nagar	Adv.S.S. Jadhavar (Sahebrao S Wayal)	Advertisement	For Hearing Reply Filed by R-1 to R-3	18.1.2024
55	OA192/23	A'bad	Adv.Gaurav Deshpande (Yogesh S Swami & Ors.)	Selection Process (MPSC)	For Hearing Reply Filed by R-1 to R-3	22.1.2024
56	OA237/23	A'bad	Adv.S.S. Dambe (Navnath J Devare & Ors.)	Selection Process	For Hearing Reply Filed by R-2	5.2.2024
<b>Final Hearing Matters</b>						
57	OA491/13	J'gaoan	Adv.S.D. Joshi/ Adv.Ashish Rajkar (Devidas T Patil)	Recovery/ Department al Enquiry	Reply Filed by R-1 to R-4	6.12.2023



<b>58</b>	OA635/15 with	A'bad	Adv.R.P. Bhumkar (Dr.Sachin R Phadnis)	Challenging G.R.(NPA)	Pending Before Hon'ble High Court	5.2.2024
<b>59</b>	OA21/16 With	P'bha ni	Adv.M.R. Kulkarni (Dr.Shaikh Abdul Moiz Abdul Samad)	NPA G.R.	Pending Before Hon'ble High Court Reply filed by R-3	
<b>60</b>	OA618/16 With	Hingo li	Adv.M.R. Kulkarni (Dr.Sachin O Khakare)	Challenging Office Order(NPA)	Pending Before Hon'ble High Court	
<b>61</b>	OA619/16	Hingo li	Adv.M.R. Kulkarni (Dr.Anup R Naik)	Challenging Office Order(NPA)	Pending Before Hon'ble High Court	
<b>62</b>	OA445/17 With	O'bad	Adv.A.S. Shelke (Marthwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shramik Sanghatana, Beed & Ors.)	Challengin g G.R.	Reply Filed by R-1 to R-6	
<b>63</b>	OA446/17 With	Latur	Adv.A.S. Shelke (Marthwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shramik Sanghatana, Beed & Ors.)	Challengin g G.R.	Reply Filed by R-1 to R-6	
<b>64</b>	OA447/17 With	Beed	Adv.A.S. Shelke (Marthwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shramik Sanghatana, Beed & Ors.)	Challengin g G.R.	Reply Filed by R-6	

<b>65</b>	OA449/17 With	Jalna	Adv.A.S. Shelke (Sarva Shramik Sangh Kotwalpura, A'bad & Ors.)	Challengin g G.R.	Reply Filed by R-1 to R-6
<b>66</b>	OA450/17 With	A'bad	Adv.A.S. Shelke (Sarva Shramik Sangh Kotwalpura, A'bad & Ors)	Challengin g G.R.	Reply Filed by R-1 to R-6
<b>67</b>	OA451/17 with	Jalna	Adv.A.S. Shelke (Sarva Shramik Sangh Registration No.AWB- 822, Trade Union Centre, Kotwalpura, A'bad & Ors)	Challengin g G.R.	Reply Filed by Respondents
<b>68</b>	OA452/17 With	Beed	Adv.A.S. Shelke (Marthwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shramik Sanghatana, Beed & Ors.)	Challengin g G.R.	Reply Filed by R-1 to R-5
<b>69</b>	OA453/17 With	O'bad	Adv.A.S. Shelke (Marthwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shramik Sanghatana & Ors.)	Challengin g G.R.	Reply Filed by R-1 to R-5
<b>70</b>	OA454/17 With	A'bad	Adv.A.S. Shelke (Sarva Shramik Sangh Registration No.AWB- 822, Trade Union Centre, Kotwalpura, A'bad & Ors)	Challengin g G.R.	Reply Filed by R-1 to R-5
<b>71</b>	OA455/17 With	Hingo li	Adv.A.S. Shelke (Marthwada Sarva Shramik Sanghatana & Ors.)	Challengin g G.R.	
<b>72</b>	OA456/17 With	P'bhn ai	Adv.A.S. Shelke (Marthwada Sarva Shramik Sanghatana &	Challengin g G.R.	Reply Filed by R-1 to R-6

			Ors.)		
7 3	OA457/17 With	Dhule	Adv.A.S. Shelke (Marathwada Rajya Rojandari Va Kayam Van Kamgar Kruti Samiti through Genral Secretary and Oth.)	Challengin g G.R.	Reply Filed by R-1 to R-4
7 4	OA458/17 With	N'bar	Adv.A.S. Shelke (Marathwada Rajya Rojandari Va Kayam Van Kamgar Kruti Samiti through Genral Secretary and Oth.)	Challengin g G.R.	Reply Filed by R-1 to R-5
7 5	OA459/17 With	N'bar	Adv.A.S. Shelke (Marathwada Rajya Rojandari Va Kayam Van Kamgar Kruti Samiti and Oth.)	Challengin g G.R.	
7 6	OA494/17 With	A'nag ar	Adv.A.S. Shelke (Marathwada Rajya Rojandari Va Kayam Van Kamgar Kruti Samiti through Treasurer and Oth.)	Challengin g G.R.	Reply Filed by R-4
7 7	OA113/17 with	Nand ed	Adv.A.S. Shelke (Marthwada Sarva Shramik Sanghatana, A'bad through Genral Secretary)	Challengin g G.R.	Reply Filed by R-1 to R-5
7 8	OA114/17 With	Hingo li	Adv.A.S. Shelke (Marthwada Sarva Shramik Sanghatana and Others)	Challengin g G.R.	Reply Filed by Respondents
7 9	MA325/17 In OAST941/17 With	N'bar	Adv.S.S. Shinde (Bhika K Chaudhari)	M.A. For Condonati on of Delay	Reply Filed by R-1 to R-4

80	MA36/19 In MASt82/19 In OAS83/19 With	Hingoli P'bhani	Adv.V.G. Pingle (Pandurang M Kamble & Ors.)	M.A. For Condonation of Delay	Reply Filed by R-1 to R-7	
81	MA144/19 In OAS400/19	Hingoli	Adv.V.G. Pingle (Kasturabai J Dhembre)	M.A. For Condonation of Delay		
82	OA776/17	A'bad	Adv.M.R. Kulkarni (Moni V Varghese)	Recovery & Revised Pay Fixation	Reply Filed by R-1 to R-3	22.12.2023
83	OA804/17	N'bar	Adv.S.D. Joshi (Prakash D Patil)	Compulsory Retirement	Reply Filed by R-1 to R-4	5.2.2024
84	OA939/17	Beed	Adv.S.D. Joshi (Dattatraya S Bargaje)	Dismissal	Reply Filed by R-1 to R-5	5.2.2024
85	OA696/18	Nanded	Adv.Avinash S Deshmukh <b>Adv.Avinash S Deshmukh has Filed Leave Note From 21.11.2023 to 12.12.2023 (Sandeep O Chetti)</b>	Selection/ Direction	Reply Filed by R-2	29.1.2024
86	OA927/18	Beed	Adv.Vilas P Savant (Shamrao N Kadam & Ors.)	Seniority/ Promotion	Reply Filed by R-2 & R-4	4.1.2024
87	OA56/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Balaji M Mirkute) <b><u>Adv.Yogita S Thorat for R.Nos.4 &amp; 5</u></b>	Recovery	For Admission Reply Filed by R-1 to R-5	
88	OA57/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Ashok N Khandare) <b><u>Adv.Yogita S Thorat for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	

89	OA58/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Pratap D Chavan) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	6.12.2023
90	OA59/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Amrit K Chavan) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	
91	OA60/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Pravin K Munde) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	
92	OA61/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Rajabhau S Butte) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	
93	OA62/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Vasant D Pawar) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	
94	OA63/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Vijay D Kasbe) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	
95	OA64/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Md. Amjadullah Md. Lutfullah) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	
96	OA65/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Sheshrao B Chavan) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	
97	OA66/19 With	Nanded	Adv.M.R. Kulkarni (Dr.Farhat Anjum Zikre Mohd. Ayyub) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	
98	OA67/19	Nanded	Adv.M.R. Kulkarni (Dr.Rajendra S Pawar) <b><u>Adv.Yogita S Thorat</u></b> <b><u>for R.Nos.4 &amp; 5</u></b>	Recovery	Reply Filed by R-1 to R-5	

99	OA355/19	Nanded	Adv.D.R. Irale Patil (Nangesh N Unche & Ors.) <b><u>Adv.Ajay Deshpande</u></b> <b><u>for R.Nos.3 to 5</u></b>	Seniority	Reply Filed by R-1 to R-5	4.1.2024
100	OA26/20	Dhule	Adv.Girish A Nagori/ Adv.Yogesh H Jadhav (Sanjay D Salunke) <b><u>Adv.D.A. Madake for</u></b> <b><u>R.No.19</u></b>	Seniority	Reply Filed by R-1 to R-3 & R- 19	18.1.2024
101	OA54/20	Jalna	Adv.Kishor D Khade (Bharatlal T Dhupe)	Appointment	Reply Filed by R-1 to R-4	9.1.2024

Assistant Registrar  
M. A. T. Bench at A'bad

Before: - THE HON'BLE JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN

And

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

Date:- 04/12/2023

Suplimentary

Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Revised Pay Fixation/Recovery Group Matters</b>						
1	OA997/19 (Due) With	A'bad	Adv.M.R. Kulkarni (Dr. Ahmed Munibuddin)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3	6.12.2023
2	OA998/19 (Due) With	A'bad	Adv.M.R. Kulkarni (Dr. Razvi Syed Ubaid Syed Vaseuddin)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3	
3	OA999/19 (Due) With	A'bad	Adv.M.R. Kulkarni (Dr. Pratibha K Kalwale)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3	
4	OA1000/19 (Due) With	A'bad	Adv.M.R. Kulkarni (Dr. Vinod D Mundada)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3	
5	OA1001/19 (Due) With	A'bad	Adv.M.R. Kulkarni (Dr. Shaikh Shazia Masroor Abdul Lateef)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3	
6	OA1002/19 (Due) With	A'bad	Adv.M.R. Kulkarni (Dr. Aradhana A Deshmukh)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3	
7	OA1003/19 (Due) With	A'bad	Adv.M.R. Kulkarni (Dr. Pratibha R Deshmukh)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3	

<b>8</b>	OA1004/19 <b>(Due)</b> With	A'bad	Adv.M.R. Kulkarni (Dr. Shilpa N Shewale)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3
<b>9</b>	OA1006/19 <b>(Due)</b> With	A'bad	Adv.M.R. Kulkarni (Dr. Khaled Mohsin Badaam)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3
<b>10</b>	OA1097/19 <b>(Due)</b> With	A'bad	Adv.M.R. Kulkarni (Dr. Junaid Mobin Ahmed Shaik)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3
<b>11</b>	OA1098/19 <b>(Due)</b>	A'bad	Adv.M.R. Kulkarni (Dr. Ansari Mohammed Abdul Muqtadir)	Revised Pay Fixation/ Recovery	Reply Filed by R-1 to R-3

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

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

**And**

THE HON'BLE SHRI VINAY KARGAONKAR,

MEMBER (A)

Date: -04/12/2023

For Reply

Board

Sr · N o.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Due Admission Matters</b>						
<b>1</b>	CP10/22 In OA 191/21	A'nagar	Adv R J Nirmal/ Adv A W Khadse (Sandip W Khadse) <b><u>Adv M D Lonkar</u></b> <b><u>Special Counsel For</u></b> <b><u>the Repondents.</u></b>	Contempt Petition	For Filing Affidavit in Reply For Amendment Portion of R-1	12.12.20 23
<b>2</b>	CP31/23 In	A'bad	Adv A V Thombre (Sumit G Dongre &	Contempt Petition	<b>Further Considerat</b>	29.1.202



	OA603/21		Ors.)		<b>ion Ref Order Dtd. 26.10.2023</b>  For Filing Affidavit in Reply	3
<b>3</b>	CP37/23 In Review No 05/22 In OA 981/19	P'rbn	Adv Ganesh V Mohekar (Dr. Ravindra K Deshmukh)	Contempt Petition	For Filing Affidavit in Reply	13.12.20 23
<b>4</b>	CP57/23 In OA317/23	Dharas hiv	Adv R A Joshi (Triyambak G Mehatre)	Contempt Petition	Await Service	24.1.202 4
<b>5</b>	OA451/20	Latur	Adv.Kuldeep S Patil/ Adv.P.D. Hajare (Shrihari S Solanke)	Wait List	As a Last Chance For Filing Affidavit in Reply R-1 & For Filling Affidavit in Rejoinder to the Affidavit in Reply Filed By R-2 & R-3 <b><u>Ref Order Dtd. 20.06.2023</u></b>	16.1.202 4
<b>6</b>	OA415/21	A'bad	Adv Sanotsh S Dambe (Vivekanand V Auti & Ors.)	Selection	One More Last Chance For Filing Affidavit in Reply <b><u>Ref Order Dtd. 20.01.2023</u></b>	18.1.202 4

					For Taking Instructions.	
7	OA588/21	Latur	Adv.C.V. Dharurkar (Holambe N Dagdu & Ors.) <b><u>Adv. Chandrkant A Jadhav for R.No.5</u></b>	Advertisement/ Recruitment	For Filing Affidavit in Rejoinder <b><u>Ref Order Dtd. 25.01.2023</u></b>	23.1.2024
8	OA243/22	J'gaon	Adv.D.T. Devane (Ghansham D Chavan & Ors.) <b><u>Adv.M.B. Kolpe for R.No.2</u></b>	Departmental Examination/ Declaration of Result	As a Last Chance For Filing Affidavit in Rejoinder	9.2.2024
9	OA261/22	A'bad	Adv.V.R. Jain (Dadarao U Phule)	Appointment	One More Last Chance For Filing Affidavit in Reply <b><u>Ref Order Dtd. 26.10.2023</u></b>	10.1.2024
10	OA354/22	A'nagar	Adv V B Wagh (Riyaj Mehmud Deshmukh)	Promotion	At liberty to file additional affidavit in Reply to the Amended O.A	10.1.2024
11	OA641/22	Nanded	Adv H V Tungar (Amarsing S Kamthekar)	Major Punishment	As One More Last Chance For Filing Affidavit in Reply <b><u>Ref Order Dtd.</u></b>	19.1.2024

					<b><u>28.06.2023</u></b>	
<b>12</b>	OA726/22	Nashik Dhule	Adv.D.T. Devane (Dinesh N Patil) <b><u>Adv.M.B. Kolpe</u></b> <b><u>for R.No.2</u></b>	Selection	As a Last Chance For Filing Affidavit in Rejoinder	9.2.2024
<b>13</b>	OA851/22	P'rbn	Adv Kiran G Salunke (Prashant B Kachhawa) <b><u>Adv S B Mene</u></b> <b><u>Special Counsel</u></b> <b><u>For R-1/</u></b> <b><u>Ajay Deshpande</u></b> <b><u>Special Counsel</u></b> <b><u>For</u></b> <b><u>R-2 &amp; R-3</u></b>	Absorption/ Seniority Promotion	For Filing Affidavit in Reply	10.1.2024
<b>14</b>	OA902/22	A'bad	Adv.Rajendra N Chavan (Anil V Mule)	Misconduct	For Filing Affidavit in Rejoinder	5.2.2024
<b>15</b>	OA928/22	Beed	Adv.S.M. Shegaonkar (Bhagwat L Lagad)	Promotion	Reply Filed By R-4 & For Filing Affidavit in Reply of Other Responde nts. <b><u>Ref</u></b> <b><u>Order</u></b> <b><u>Dtd.</u></b> <b><u>31.01.2023</u></b>	15.12.2023
<b>16</b>	OA1135/22	A'nagar	Adv V B Wagh (Sandip K Tarte)	Department	Await Service	5.2.2024

				al Enquiry		
<b>17</b>	OA.21/23	O'bad	Adv.Kishor G Gaikwad/ Adv G A Rathod (Mohan K. Kulkarni)	Promotion	Reply Filed By R-1 to R- 4 & For Filing Affidavit in Rejoinder	5.2.2024
<b>18</b>	OA58/23	A'nagar	Adv K J Suryawanshi (Dr. Rajendra V Shinde)	Extension of Age	For Filing Affidavit in Reply  <b>Further Consider ation</b>	14.12.20 23
<b>19</b>	OA69/23	Beed	Adv.P.D. Jarare (Maharashtra Rajya Janarogya Karmachari Mahasangh, Through its Secretary, Khanderao R Chilgar)	Challenging Amendment in Recruitment Rules	By way of Last Chance For Filing Affidavit in Reply	15.12.20 23
<b>20</b>	OA70/23	A'nagar	Adv Ajay S Deshpande (Vishwanath B Dabe)	Promotion	Reply Filed By R-1 & For Filing Affidavit	5.2.2023

					t in Rejoinder	
21	OA217/23	Dhule	Adv.P.S. Gaikwad (Prakash H Bhamare)	Enquiry/ Termination	Await Service	25.1.2024
22	OA309/23	P'rbn	Adv Suchita Dhongde (Mohammad Moinoddin Mohammad Sharfoddin)	Challenging G.R	For Filing Affidavit in Reply	24.1.2024
23	OA311/23	A'nagar	Adv V B Wagh (Sanjay K Zaware)	Dismissal	By way of Last Chance For Filing Affidavit in Reply	15.1.2024
24	OA366/23 With Caveat No.12/23	Nanded	Adv A S Deshmukh <b><u>Adv A S Deshmukh has Filed Leave not From 21/11/2023 to 12/12/2023</u></b> (Nitin B Kolekar) <b><u>Adv Ajay S Deshpande</u></b> <b><u>Caveator Filed By R- 3 &amp; R-4</u></b>	Seniority List Reversion	Reply Filed By R-1 & R-2	22.12.2023
25	OA516/23	A'bad	Adv V V Deshmukh (Yogesh S Kharde)	Selection Process	Reply Filed By R-3 & For	11.1.2024

					Filing Affidavit in Reply	
<b>26</b>	OA549/23	Jalna	Adv Ujwal S Patil (Aasaram S Chormare Died) through his Legal Heirs Mahananda Wd./o Aasaram Chormare & Ors.	Removal From Service	Await Service	5.2.2024
<b>27</b>	OA613/23	Beed	Adv Amol R Gaikwad (Vishal S Shelke)	Selection Process	Reply Filed By R-4 & For Filing Affidavit in Reply Remaining Respondents.	9.1.2024
<b>28</b>	OA637/23	Beed	Adv O D Mane/ Adv A O Mane (Sheshrao L Wagatkar)	Major Punishment (Dismissal)	By way of Last Chance For Filing Affidavit in Reply	15.1.2024
<b>29</b>	OA693/23	Nanded	Adv S S Jadhavar (Satish R Nirde)	Selection Process	For Filing Affidavit in Reply	18.1.2024
<b>30</b>	OA707/23	Nanded	Adv Ganesh R Jadhav/ Adv Mahesh K Bhosale (Shaikh Suleman	Selection Process	Await Service R-3 (Refused)	18.1.2024

			Shaikh Haji Shaikh)			
<b>31</b>	OA723/23	A'nagar	Adv S S Jadhavar (Santosh C Sabale & Ors.)	Selection Process	Await Service	29.1.202 4
<b>32</b>	OA724/23	N'bar	Adv S S Jadhavar (Navnath V Sakhare & Ors.)	Selection Process	For Filing Affidavit in Reply	29.1.202 4
<b>33</b>	OA725/23	Jalna	Adv S S Jadhavar (Suresh D Dukare & Ors.)	Selection Process	For Filing Affidavit in Reply	29.1.202 4
<b>34</b>	OA805/23	P'rbn Etc.	Adv Talekar & Associates (Shaikh Rafeek Gabru & Ors.)	Challenging G.R Regularizati on	For Filing Affidavit in Reply	30.1.202 4
<b>35</b>	OA846/23	Nanded	Adv R N Bharaswadkar (Vikas P Gore)	Selection Process	Await Service	5.2.2024
<b>36</b>	OA886/23	Beed	Adv M S Bhosle (Rani D Sathe)	Appointmen t	For Filing Affidavit in Reply	12.1.202 4
<b>37</b>	OA901/23	Nanded	Adv P V Barde/ Adv Anand Kawre (Aitwar V Sambayya)	Selection Process	Await Service	5.2.2024
<b>Order Matter</b>						
<b>38</b>	MA115/22 In	A'bad	Adv.V.R. Jain	M.A. For Condonatio	For Filing	10.1.202 4

	OAS138/2 2		(Mangesh S Vishwasu)	n of Delay	Affidavit in Rejoinder	
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Assistant Registrar  
M. A. T. Bench at A'bad



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

*List of Cases set down for Physical Hearing/Admission/Order/etc.before Hon'ble Single Bench  
Before: - THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)*

**Date: -04/12/2023**

**For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Due Admission Matters</b>						
1	OA1056/19	Nanded	Adv Amit A Mukhaedkar (Rajkumar D Malshetwar)	Family Pension/ Pensionery Benefitis	For Filing Affidavit in Reply	2.1.2024
2	OA746/21	Jalna	Adv J S Deshmukh (Smt. Tilottama V Bhatkar)	Recovery/ Refund Of Recovered Amount	For Filing Affidavit in Rejoinder	11.1.2024
3	OA83/22	Dhule	Adv S N Suryawanshi (Jitendra D Gurav)	Minor Punishment Recovery	For Filing Affidavit in Rejoinder	11.1.2024
4	OA612/22	P'bhani	Adv S B Solanke (Vishwananth M Tondewad)	Benefits of Old Pension Scheme	For Filing Affidavit in Rejoinder	15.1.2024
5	OA671/22	Dhule	Adv S D Dhongde (Kiran S Pawar)	Grant of Leave	By way of One More Last Chance For Filing Affidavit in Reply <b><u>Ref Order Dtd. 20.01.2023</u></b>	16.1.2024
6	OA913/22	A'nagar	Adv V B Wagh (Varsha V Gaikwad) <b><u>Adv D T Devane For R- 3 &amp; R-4</u></b>	Absorption	Final Chance For Filing Affidavit in Reply	19.12.2023
7	OA979/22	P'rbn	Adv Yogesh P Deshmukh (Chagan Y Gaikwad) <b><u>Adv S B Mene For R-1 to R-4</u></b>	Recovery (Govt. Quarter)	Await Service R-4	11.1.2024

8	OA1147/22	Jalgaon	Adv K B Jadhav (Janardan G Koli)	Absorption	For Filing Affidavit in Rejoinder	8.1.2024
9	OA71/23	A'bad	Adv Amol R Gaikwad (Dattatrya D Sonune)	Minor Punishment	Reply Filed By R-1 to R-3	11.1.2024
10	OA131/23	A'bad	Adv Suchita Dhongde (Chhaya P Sulakhe) <b><u>Adv S B Mene For R-6</u></b>	Recovery/ Pension	For Filing Affidavit in Reply and also for Filing Affidavit in Rejoinder	12.1.2024
11	OA144/23	Latur	Adv R P Bhumkar (Pratulchandra N Gundre & Ors.) <b><u>Adv S B Mene For R-2</u></b>	Time Bound Promotion	By way of Last Chance For Filing Affidavit in Reply	18.12.2023
12	OA145/23	Beed	Adv R P Bhumkar (Shivaji R Lagas & Ors.)	Time Bound Promotion	Reply Filed By R-1 & R-2 & For Filing Affidavit in Rejoinder	16.1.2024
13	OA159/23	Jalna	Adv S S Jadhavar (Vinayak U Banchod)	Benefit of G.R.	For Filing Affidavit in Reply	18.1.2024
14	OA359/23	O'bad	Adv S B Solanke (Pravin B Gaikwad)	Benefit of Old Pension Scheme	Reply Filed By R-4 & For Filing Affidavit in Reply	11.1.2024
15	OA603/23	Jalgaon	Adv S B Bhosale (Gutam B Sonwane)	Retirement Benefits	Reply Filed By R-1 to R-6	12.1.2024
16	OA639/23	O'bad	Adv S D Joshi (Sandhya V Pawar) <b><u>Adv Pooja S Mundhe For R-4</u></b>	Directions/ Transfer	For Filing Affidavit in Reply	12.1.2024
17	OA657/23	Latur	Adv V B Wagh (Laxmi N Dhotre LRs Nilkanth T Dhotre)	Interest on Delayed Payment	For Filing Affidavit in Reply	12.1.2024

18	OA719/23	A'bad	Adv S B Solanke (Sanjay M Gitte & Ors.)	Benefits of Old Pension Scheme	For Filing Affidavit in Reply By R-1 to 3	11.1.2024
19	OA770/23	Hingoli	Adv S S Ware (Deepak R Wadkute)	Directions/ Leave Encashment Pension	For Filing Affidavit in Reply	16.1.2024
20	OA793/23	Dhule	Adv Vivek G Pingle/ Adv Pallvi Karhadkar (Nayan B More & Ors.) <u>Adv N N Desale For R-3/</u> <u>Adv A V Patil For R-3/</u> <u>Adv A R Jadhav R-3</u>	Compassionate Appointment	For Filing Affidavit in Reply	12.1.2024
21	OA809/23	A'bad	Adv Sandesh R Patil (Rajashree N More)	Medical Re- imbursement	For Filing Affidavit in Reply	9.1.2024
22	OA873/23	A'bad	Adv K B Jadhav (Sunil G Jadhav)	Suspension/ Re-instatement	For Filing Affidavit in Reply	2.1.2024
23	OA881/23	Latur	Adv B V Gawali (Rahimoddin K Qaimi)	Amount of Gratuity & Delayed Payment of Gratuity	For Filing Affidavit in Reply	12.1.2024
24	OA887/23	Jalna	Adv K B Jadhav (Babasaheb B Karjatkar)	Minor Punishment	For Filing Affidavit in Reply	16.1.2024
25	OA975/23	Nanded	Adv S B Patil (Ranjikumar P Katke)	Transfer	Await Service	18.12.2023
26	OA983/23	Jalna	Adv Anant Devkate Adv Kakasaheb B Jadhav (Anil L Uphad)	Suspension	For Filing Affidavit in Reply	18.12.2023
<b>Order Matters</b>						
27	MA260/22 In OAS723/22	A'bad	Adv C V Thombre (Sharad S Kappa)	M.A For Condonation of Delay	For Filing Affidavit in Reply	12.1.2024

<b>28</b>	MA292/22 In OAS1116/22	A'bad	Adv S B Solanke (Shaikh Imran Shaikh Ahmed)	M.A For Condonation of Delay	For Filing Affidavit in Rejoinder	15.1.2024
<b>29</b>	MA304/22 In OA1020/23	Dhule	Adv Mohit R Deshpande (Ravikiran R Ahire & Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply <b><u>Ref Order</u></b> <b><u>Dtd.</u></b> <b><u>17.10.2023</u></b>	12.1.2024
<b>30</b>	MA28/23 In OAS1099/22	Latur	Adv A V Patil (Indrale (Smt. Jayshree S Waghmare & Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply	11.1.2024
<b>31</b>	MA304/23 In OAS1864/23	Jalgaon	Adv V B Wagh (Vanil B Koli)	M.A For Condonation of Delay	For Filing Affidavit in Reply	12.1.2024
<b>32</b>	MA365/23 In OAS1444/23	Nanded	Adv K B Jadhav (Gautam P Karle)	M.A For Condonation of Delay	For Filing Affidavit in Reply	12.1.2024

**ORIGINAL APPLICATION NO. 843 OF 2023**  
**(Bhagwat M. Kavhar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 05.12.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 844 OF 2023  
(Sunil D. Kakde Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri M.K. Bhosale, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 05.12.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 1978 OF 2023  
(Bhaskar K. Dabhade Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Sanjay Kolhare, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. It appears that there is no specific pleading about as to how the applicant is entitled for deemed date of promotion from 29.11.1980.

3. Initially the applicant has approached to this Tribunal by filing Original Application No. 786/2012. By order dated 28.03.2016 this Tribunal dismissed the said O.A. Being aggrieved by the same, the applicant had approached to Hon'ble High Court of Bombay, Bench at Aurangabad by filing Writ Petition No. 7350/2016. However, it was also dismissed.

4. In view of above, it may not be necessary to issue notice at this stage. However, the learned P.O. to take instructions in writing and file short reply in this case.

5. S.O. to 12.01.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 106 OF 2023**  
**(Mohammad Fiaz Mh. Ibrahim Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri D.R. Irale Patil, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

Shri K.S. Solanke, learned counsel for respondent No.3, is **absent**.

2. Learned P.O. submits across the bar the affidavit in reply on behalf of respondent No. 2. The same is taken on record and copy thereof is given to learned counsel appearing for the applicant.

3. S.O. to 12.01.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 686 OF 2022**  
**(Shaikh Musa Shaikh Mohioddin Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri H.M. Shaikh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 29.01.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 114 OF 2023**  
**(Gopal D. Suryawanshi & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri H.M. Shaikh, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 18.12.2023 for hearing.

**MEMBER (J)**

SAS ORAL ORDERS 04.12.2023

**ORIGINAL APPLICATION NO. 453 OF 2023**  
**(Shamkumar V. Wallekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel holding for Shri K.B. Bhise, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file affidavit in rejoinder on behalf of applicant. Time granted.

3. S.O. to 11.01.2024 for filing rejoinder/for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1056 OF 2019**  
**(Rajkumar D. Malshetwar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Amit A. Mukhedkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that the affidavit in reply will be positively filed on or before the next date.

3. S.O. to 02.01.2024.

**MEMBER (J)**

SAS ORAL ORDERS 04.12.2023

**ORIGINAL APPLICATION NO. 612 OF 2022**  
**(Vishwanath M. Tondewad Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

2. Learned counsel for the applicant on instructions submits that the applicant does not wish to file any rejoinder affidavit.

3. In view of above, pleadings are complete. List the matter for admission hearing on 15.01.2024.

**MEMBER (J)**

**M.A.NO. 292 OF 2022 IN O.A.ST.NO. 1116 OF 2022  
(Shaikh Imran Shaikh Ahmed Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

2. Learned counsel for the applicant on instructions submits that the applicant does not wish to file any rejoinder affidavit.

3. In view of above, pleadings are complete. List the M.A. for admission hearing on 15.01.2024.

**MEMBER (J)**

SAS ORAL ORDERS 04.12.2023

**ORIGINAL APPLICATION NO. 913 OF 2022**  
**(Varsha V. Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

Shri D.T. Devane, learned counsel for respondent Nos. 3 & 4, is **absent**.

2. At the request of learned P.O., S.O. to 19.12.2023 for filing affidavit in reply.

**MEMBER (J)**

SAS ORAL ORDERS 04.12.2023

**ORIGINAL APPLICATION NO. 131 OF 2023**  
**(Chhaya P. Sulakhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

Shri S.B. Mene, learned counsel for respondent No.6, is **absent**.

2. Learned P.O. submits across the bar the affidavits in reply on behalf of respondent Nos. 2 & 3 separately. The same are taken on record and copies thereof are already given to other side.

3. S.O. to 12.01.2024 for filing affidavit in rejoinder, if any.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 144 OF 2023**  
**(Pratulchandra N. Gundre & Ors. Vs. State of Maharashtra**  
**& Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

Shri S.B. Mene, learned counsel for respondent No.2, is **absent**.

2. At the request of learned P.O., S.O. to 18.12.2023 for filing affidavit in reply.

**MEMBER (J)**

SAS ORAL ORDERS 04.12.2023

**ORIGINAL APPLICATION NO. 639 OF 2023  
(Sandhya V. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Smt. Pooja S. Mundhe, learned counsel for respondent No.4, are **absent**.

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

2. Learned P.O. submits across the bar the affidavit in reply on behalf of respondent Nos. 1 to 3. The same is taken on record along with spare copy for the applicant.

3. S.O. to 12.01.2024 for filing affidavit in rejoinder, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 793 OF 2023**  
**(Nayan B. More & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri V.G. Pingle, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

None present for respondent No.3.

2. Learned P.O. submits across the bar the affidavit in reply on behalf of respondent Nos. 1 & 2. The same is taken on record and copy thereof is already given to learned counsel appearing for the applicant.

3. S.O. to 12.01.2024 for filing affidavit in rejoinder, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 873 OF 2023  
(Sunil G. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.
3. S.O. to 02.01.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 975 OF 2023**  
**(Ranjikumar P. Katke Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.B. Mene, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 18.12.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 983 OF 2023  
(Anil L. Uphad Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 18.12.2023.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 593 OF 2023**  
**(Chetan Shivaji Malunde Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri M.R. Kulkarni, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.01.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDERS 04.12.2023

**ORIGINAL APPLICATION NO. 845 OF 2022  
(Mayur M. Kakade Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant, is **absent**. Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant in part-heard matter.
3. S.O. to 14.12.20232 for further hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 618 OF 2022  
(Shivaji M. Palepad Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Avinash S. Khedkar, learned counsel for the applicant, is **absent**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant in part-heard matter.

3. S.O. to 18.12.2023 for further hearing.

**MEMBER (J)**

**Later On:-**

4. Shri Avinash S. Khedkar, learned counsel for the applicant appears.

5. S.O. to 18.12.2023 for further appearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 165 OF 2020  
(Babu D. Ghute Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri A.D. Gadekar, learned counsel for respondent No.2, are present.

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

3. At the request of learned counsel for respondent No.2, S.O. to 06.12.2023 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 657 OF 2023**  
**(Laxmi N. Dhotre Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 12.01.2024 for filing affidavit in reply on behalf of respondents.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 406 OF 2023**  
**(Narayan Devrao Napte Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri M.R. Kulkarni, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. By consent heard both sides at admission stage finally.

3. The applicant was appointed on 12.06.2014 in the cadre of Accountant/Inspector/ Shirestedar/ Nyaya Lipik (Annexure 'A-2') and he has joined on 09.07.2014 in the office of Public Trust Registration, Hingoli. The applicant has completed near about 8 years and 8 months at the station Hingoli. There is no dispute that he has completed his tenure as per the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. The department has prepared the list of the employees who are due for transfer in the year 2023 and called their options as per the policy of the Government. Consequently the applicant has given 10 options on 03.04.2023 for the

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reason that his father is suffering from illness and his daughter is studying in Central School in 8<sup>th</sup> standard in Washim.

4. By transfer order dated 19.02.2023, the applicant came to be transferred from Hingoli to Jalna. Being aggrieved by the same, the applicant has approached this Tribunal by filing present Original Application. However, even after filing of the present O.A., the applicant has filed his representation dated 22.05.2023 (Annexure 'A-6') and pointed out to the department that at Washim, Akola and Amaravati posts are still vacant and he may be considered at that places for the same reason mentioned by him while exercising the options of choice.

5. In terms of oral instructions given by this Tribunal, learned P.O. has taken instructions in writing from Charity Commissioner, Maharashtra State, Mumbai. On perusal of the same it appears that the applicant's service record is clear as on today and there are no complaints against him. Further there are vacant posts at Amaravati, Akola so also at Washim. Learned P.O. on instructions

submits that so far as the Washim station is concerned, the same is hometown of the applicant. As against learned counsel for the applicant submits that the applicant can very well give option of his hometown as per guidelines dated 31.01.2023 (Annexure 'A-4').

6. It appears that as per the representation dated 22.05.2023 (Annexure 'A-6'), the applicant has given options for Washim, Akola and Amaravati respectively. It appears from the communication received from the Charity Commissioner, Maharashtra State, Mumbai dated 01.12.2023 that at Washim there are 4 sanctioned posts and as against it, 3 posts are filled in by way of transfer. Learned P.O. has rightly pointed out that as per workload at the said station, posts are filled in though one is shown as vacant. Learned P.O. submits that similar is case of Amarawati where the sanctioned posts are 15 and as against it, 13 posts are filled in by way of transfer considering the workload at said station. Even if this analogy is accepted, at Akola station there are 11 sanctioned posts and only 6 posts are filled in by way transfer

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and 5 posts are still vacant. The applicant has also given option for Akola in his representation dated 22.05.2023 (Annexure 'A-6').

7. In view of same, the respondent No.2 is hereby directed to decide the representation of the applicant along with pending request application of the other employees, for the same station; at earliest, particularly within two weeks from the date of receipt of copy of this order. In view of above discussion, this Tribunal is hopeful that the respondent No.2 may consider the option of the applicant at Akola station since the applicant's service record is unblemished and there are no complaints so far against him. With this direction, the Original Application is disposed of. No costs.

**MEMBER (J)**

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

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.S. Ware, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits across the bar affidavit in reply on behalf of respondent No. 3. Same is taken on record along with spare copy for other side.

3. S.O. to 16.01.2024 for filing rejoinder affidavit, if any.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 887 OF 2023**  
**(Babasaheb B. Karjatkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits across the bar affidavit in reply on behalf of respondent Nos. 1, 3 & 4. Same is taken on record and copy of the same is already given to learned counsel for the applicant.

3. S.O. to 16.01.2024 for filing rejoinder affidavit, if any.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 671 OF 2022  
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel holding for Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits across the bar affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy of the same is already given to learned counsel for the applicant.

3. List the matter for hearing on admission on 16.01.2024. Liberty is granted to the applicant to file rejoinder affidavit, if any.

**MEMBER (J)**

**M.A. No. 539/2023 in O.A. St. No. 43/2019  
(Gunaji D. Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Ashish Rajkar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 05.12.2023.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 1021 OF 2023  
(Priyanka S. Sanap Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, S.O. to 11.12.2023.

**MEMBER (J)**

**M.A. No. 549/2023 in O.A. St. No. 2303/2023**  
**(Vasundhara N. Wahtule & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned C.P.O., S.O. to 11.12.2023.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**M.A. No. 548/2023 in O.A. St. No. 2302/2023  
(Sachin V. Ingalkar & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned C.P.O., S.O. to 11.12.2023.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**M.A. No. 545/2023 in O.A. St. No. 2125/2023  
(Ravindra R. Joshi Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri G.L. Deshpande, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 11.12.2023.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 909 OF 2018**  
**(Atamaram N. Mahide Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Manoj Shelke/S.M. Mundlik, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 12.01.2024 for hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 269 OF 2022  
(Sharda V. Andure & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri G.R. Jadhav, learned counsel holding for Shri Avishkar Shelke, learned Advocate for the applicants and Shri M.P. Gude, learned counsel for respondent Nos. 1 to 3, are present.

2. S.O. to 14.12.2023 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 473 OF 2022  
(Satish V. Mote Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 11.01.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 516 OF 2022  
(Arun M. Pujari Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Shri L.V. Sangit, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Part heard.
3. S.O. to 15.12.2023 for further hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 534 OF 2023**  
**(Tulshiram H. Aghav Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri A.R. Jadhav, learned counsel holding for Shri R.R. Karpe, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.01.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 535 OF 2023  
(Anil R. Dhumal Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri A.R. Jadhav, learned counsel holding for Shri R.R. Karpe, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.01.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

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

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Ms. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.01.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 819 OF 2019**  
**(Kalim Safdar Shiklida vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel holding for Smt. Sabahat T. Kazi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 09.01.2024 for taking instructions from the concerned respondent/s and filing affidavit in reply if necessary, for which learned counsel for the applicant has no objection.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 89 OF 2018**  
**(Sayeda Khalida Md. Naeem Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present. Shri S.R. Pande, learned counsel for respondent No. 3, is **absent**.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 19.01.2024 for final hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 98 OF 2020 with Caveat  
No. 78/2019  
(Bhavana R. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present. Shri Manish Bhambre, learned counsel for respondent No. 2 (Caveator), is **absent**.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 18.12.2023 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 496 OF 2020**

**(Mohd. Akif Abrar Mohd. Abdul Rauf Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Avinash Deshmukh, learned Advocate for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 19.01.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 04.12.2023

**ORIGINAL APPLICATION NO. 103 OF 2021**  
**(Dr. Harishchandra T. Kokani Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant, Shri Rakesh Jain, learned counsel for respondent No. 3, are **absent**.

Shri D.R. Patil, learned counsel for respondent authorities, is present.

2. As none present for the applicant, S.O. to 16.01.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 115 OF 2021  
(Kadubai S. Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Shri R.K. Khandelwal, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer is hereby directed to call the record and proceedings in respect of determining the age of the applicant along with her service record till next date of hearing.

3. S.O. to 18.12.2023 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 145 OF 2023**  
**(Shivaji R. Lagas & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 16.01.2024.

**MEMBER (J)**

**M.A.NO. 547/2023 IN O.A.NO. 917/2023**  
**(Kanad T. Ugalmugle Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Shri Amol B. Chalak, learned counsel for the applicant in M.A./respondent No. 3 in O.A. , Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri A.S. Mirajgaonkar, learned counsel holding for Shri Mohit R. Deshmukh, learned counsel for respondent No. 4 in M.A. / applicant in O.A.

2. Learned counsel for the applicant in O.A. seeks one week's time to file affidavit in reply to the M.A. No. 547/2023.

3. Shri Amol Chalak, learned counsel for respondent No. 3 in O.A. has tendered across the bar affidavit in reply on behalf of the said respondent in O.A. and the same is taken on record and copy thereof has been served on the other side.

4. List the matter for further consideration on 11.12.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 857 OF 2023**  
**(Prakash D. Waghmare Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.R. Barlinge, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, present.

2. Since nobody appears for the applicant, S.O. to 18.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**M.A.NO. 516/23 IN C.P.ST.2162/23 IN O.A. 133/17  
(Radhakrushna S. Bodkhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Anant D. Gadekar, learned counsel for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, present.

2. Since nobody appears for the applicant, S.O. to 17.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**



**C.P.NO. 14/2023 IN O.A.NO. 533/2022**  
**(Diwakar M. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri C.V. Thombre, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, present.

2. Since nobody appears for the applicant, S.O. to 9.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**C.P.NO. 37/23 IN REV. 5/22 IN O.A.NO. 981/19**  
**(Dr. Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Ganesh V. Mohekar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar Government Resolution dated 20<sup>th</sup> October, 2023 and the same is taken on record. Learned counsel for the applicant submits that he will take instructions from the applicant in this regard and will make submissions accordingly.

3. List the matter on 13.12.2023.

**MEMBER (A)**

ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 637 OF 2023**  
**(Sheshrao L. Wagatkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri O.D. Mane, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has again sought time to file affidavit in reply. Learned counsel for the applicant has objected for grant of any further time, since on 21.10.2023 last chance was granted and thereafter the matter was kept on 28.11.2023 and thereafter the matter is kept today. In the circumstances, request so made by the learned P.O. is rejected. The matter be heard without affidavit in reply of the respondents.

3. S.O. to 15.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 2247 OF 2023**  
**(Kaka Bhanudas Waghmare Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.A. Wakure, 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 14.12.2023.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**C.P.NO. 72/2023 IN O.A.NO. 580/2022  
(Ramhari G. Sontakke Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Shri Kiran G. Salunke, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent No. 3, returnable on 11.1.2024.

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

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

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

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

7. S.O. to 11.1.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 56/2023 IN O.A.NO. 67/2020**  
**(Bansi Ganpatrao Bangar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Shri A.B. Rajkar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent, returnable on 16.1.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 16.1.2024.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 613 OF 2023**  
**(Vishal S. Shelke Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Amol R. Gaikwad, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. However, record shows that due opportunities are already given to the respondents for filing affidavit in reply.

3. In view of the above, list the matter for hearing without affidavit in reply of the respondents, on 9.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**C.P.NO. 10/2022 IN O.A.NO. 191/2021**  
**(Sandip W. Khadse Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri A.S. Khadse, 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 seeks time to file affidavit in reply. Time granted.

3. S.O. to 19.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**



**M.A.NO. 375/2023 IN O.A.NO. 254/2022  
(Sandip W. Khadse Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri A.W. Khadse, 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 sought time for filing affidavit in reply. The request so made is seriously opposed by the learned counsel for the applicant. The record also reveals that ample opportunities are given to the respondents in the present matter. However, in the interest of justice, time is granted till 8.12.2023.

3. List the matter for hearing on 8.12.2023 assuming that the respondents will file affidavit in reply on or before the next date or else the present matter will be heard without affidavit in reply.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 928 OF 2022**  
**(Bhagwat Laxman Lagad Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.M. Shegaonkar, 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 to file affidavit in reply on behalf of the respondent authorities. Respondent No. 4 has already filed affidavit in reply.

3. Learned counsel for the applicant submits that ample opportunities are availed by the respondents and he has, therefore, opposed the request so made by the learned P.O. However, in the interest of justice last chance is granted till 15.12.2023 to file affidavit in reply.

4. It is made clear that, if the affidavit in reply is not filed on or before the next date, the matter will be heard without affidavit in reply of the respondents.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**M.A.NO. 206/2023 IN O.A.NO. 211/2022**  
**(Smita Rajkumar Achme Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Shamsunder B. Patil, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 8.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 886 OF 2023**  
**(Rani Dattatray Sathe Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

Shri N.L. Jadhav, learned counsel appeared today and submits that he has instructions from respondent No. 4 to appear on his behalf. He has filed VAKALATNAMA on behalf the said respondent. He has also tendered across the bar affidavit in reply on behalf of the said respondent and the same is taken on record and copy thereof has been served on the other side.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of the State authorities. Time granted.

3. S.O. to 12.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 641 OF 2022**  
**(Amarsing S. Kamthekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri H.V. Tungar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Even today the affidavit in reply is not filed by the respondents. List the matter for hearing on 19.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 707 OF 2023**  
**(Shaikh Suleman Shaikh Haji Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Ganesh Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit to the reply filed on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 18.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 69 OF 2023**  
**(Maharashtra Rajya Janarogya Karmachari Mahasangh, Through**  
**its Secretary Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri P.D. Jarare, learned counsel for the applicant and Shri M.S. Mahajan, learned Presenting Officer for the respondent authorities, are present.

2. Learned Chief Presenting Officer has sought time for filing affidavit in reply. The request is opposed by the learned counsel for the applicant stating that today is the last chance granted for filing affidavit in reply. However, in the interest of justice, time granted till 15.12.2023 for filing affidavit in reply.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 354 OF 2022**  
**(Riyaj Mehmud Deshmukh Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. The learned counsel for the applicant submits that the applicant is not intending to file rejoinder affidavit. In the circumstances, list the matter for hearing on 15.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 311 OF 2023**  
**(Sanjay Krishnarao Zaware Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

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

3. List the matter for hearing on 17.1.2024.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 261 OF 2022**  
**(Dadarao Ukharu Phule Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

2. Learned Presenting Officer has sought time to file affidavit in reply. The request is opposed by the learned counsel for the applicant. The record shows that on 12.6.2023 the last chance was granted for filing affidavit in reply and thereafter the matter was kept on 31.7.2023 and thereafter one more last chance was granted on 26.10.2023 for filing affidavit in reply. However, on the said date i.e. on 26.10.2023 again time was sought on behalf of the respondents and in the interest of justice it was granted till 2.11.2023. However, the respondents have not filed affidavit in reply till today and again have come with the request seeking time to file affidavit in reply. The request so made is rejected. Matter be heard on 10.1.2024 without affidavit in reply.

**MEMBER (A)**  
ORAL ORDERS 04.12.2023-HDD

**VICE CHAIRMAN**

**M.A.NO. 502/2023 IN O.A.NO. 716/2023  
(Kailas G. Datkhil Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

2. Part heard.
3. S.O. to 5.12.2023.

**MEMBER (A)**

ORAL ORDER 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 58 OF 2023**  
**(Dr. Rajendra V. Shinde Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri A.T. Ghute, learned counsel holding for Shri K.J. Suryawanshi, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted by way of last chance.

3. S.O. to 14.12.2023.

**MEMBER (A)**

ORAL ORDER 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 685 OF 2019  
(Shivaji R. Thakare Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 21.12.2023. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

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

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri F.R. Tandale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 5.12.2023.

**MEMBER (A)**

ORAL ORDER 04.12.2023-HDD

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 851 OF 2022  
(Prashant B. Kachhawa Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Kiran G. Salunke, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.1.2024.

**MEMBER (A)**

ORAL ORDER 04.12.2023-HDD

**VICE CHAIRMAN**

**C.P.NO. 50 OF 2019 IN O.A.NO. 242 OF 2017  
(Mohan R. Chaudhari Vs. State of Maharashtra & Ors.)**

**WITH**

**C.P.NO. 51 OF 2019 IN O.A.NO. 648 OF 2017  
(Bhaskar S. Patil Vs. State of Maharashtra & Ors.)**

**WITH**

**C.P.NO. 52 OF 2019 IN O.A.NO. 878 OF 2016  
(Nitinkumar T. Adhe Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Anant D. Sugdare, learned counsel for the applicants in all these O.As., Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in all these OAs. and Smt. Sunita D. Shelke, learned counsel for the respondent Nos. 2 & 3 in C.P.No. 50/2019 and for respondent Nos. 3 & 4 in C.P.No. 51 & 52 of 2019, are present.

2. It is reported that Special Leave Petitions are filed before the Hon'ble Supreme Court in the present matter. In the circumstances, the matter stands adjourned to 22.1.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 975 OF 2022  
(Dattatrya D. Sonune Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri Amol R. Gaikwad, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar sur-rejoinder on behalf of respondent Nos. 1 to 6 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 16.1.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

**ORIGINAL APPLICATION NO. 217 OF 2023  
(Prakash H. Bhamare Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

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

3. S.O. to 25.1.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

**ORIGINAL APPLICATION NO. 724 OF 2023**  
**(Navnath V. Sakhare & Anr. Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 29.1.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

**ORIGINAL APPLICATION NO. 86 OF 2022  
(Ranjit D. Shingare Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri R.D. Khadap, learned counsel for the applicant and Shri B.S. Deokar, 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 No. 3 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 18.1.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

**O.A.NO.997/2019, 998/2019, 999/2019,  
1000/2019, 1001/2019, 1002/2019, 1003/2019,  
1004/2019, 1006/2019, 1097/2019 &  
1098/2019**

**(Dr. Ahmed Munibuddin & Ors. Vs. State of Maharashtra &  
Ors)**

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

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

**DATE : 04.12.2023**

**ORAL ORDER :**

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

2. S.O. to 06-12-2023. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

**O.A.NOS. 56, 57, 58, 59, 60, 61, 62, 63, 64, 65,  
66 & 67 ALL OF 2019**

**(Dr. Balaji M. Mirkute & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Shri M.R. Kulkarni, learned counsel for the applicants in all these O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 in all these O.As and Smt. Yogita S. Thorat, learned Advocate for the respondent Nos. 4 & 5 in all these O.As., are present.

2. S.O. to 06.12.2023 for hearing. Status quo granted earlier in all these O.As. to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

**M.A. No. 482/2023 IN O.A. No. 680/2023  
(Dr. Sudhatai S. Karadkhedkar Vs. State of Maharashtra &  
Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Shri M.R. Kulkarni, learned counsel for the applicant in M.A. No. 482/2023, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Ms. Preeti R. Wankhade, learned counsel for respondent No. 1 in M.A. / applicant in O.A. No. 680/2023.

2. Learned counsel for respondent No. 1 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. The present matter pertains to appointment to the post of Professor in the subject of Physiology. The feeder cadre is Associate Professor. The applicant in M.A. claims to be eligible for the appointment to the post of Professor in Physiology. It is the contention of this applicant that he is more

**:: - 2 - :: M.A. No. 482/2023 IN O.A. No. 680/2023**

meritorious than the applicant in the O.A. Learned counsel appearing for the said applicant submitted that candidate at Sr. No. 1 namely Sushma Shivajirao Jadhav has refused to join. Candidate at Sr. No. 2, namely Shri Umeshchandra Prahlad Lad, in the list was not likely to be considered since the post is reserved for female candidate. It is the further contention that third candidate, who is at Sr. No. 3 namely Dighore Manisha Asaram, also did not join. Thereafter in order of merit, according to learned counsel, the name of the applicant is there. According to this applicant, the applicant in M.A. stands at Sr. No. 7. It is further contended that only because at the relevant time the applicant was not possessing or holding Non-Creamy-Layer Certificate, she did not come forward for seeking appointment. It is further contended that now in view of G.R. dated 4<sup>th</sup> May, 2023, since the said condition has been dispensed with the applicant is vested the right to claim appointment on the said post and in the circumstances, the applicant has filed the present M.A. seeking intervention in the said O.A.



4. The request for intervention has been opposed by the learned counsel for the applicant in O.A. stating that the position on the date of issuance of the advertisement is material since the effect of the G.R. dated 4<sup>th</sup> May, 2023 is not retrospectively made applicable. It is further pointed out that the said decision as mentioned in the said G.R. is applicable only to the advertisement bearing No. 83/2021, whereas the advertisement which is involved in the present matter is having No. 76/2021 and, as such, the G.R may not be applicable in the present matter and, as such, the applicant does not have any vested right or claim in the post of Associate Professor. In the circumstances, learned counsel for the applicant in O.A. has opposed for allowing the intervention application.

5. Learned Chief Presenting Officer has submitted for passing appropriate order.

6. After having considered the submission advanced by the learned counsel appearing for the applicant/intervenor and the learned counsel appearing for the applicant in O.A. and after having

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gone through the documents placed on record, we find that the intervenor is certainly having certain rights and in the circumstances, she has to be permitted to intervene in the O.A. No. 680/2023. Therefore, we are inclined to allow the present intervention application. Hence, the following order:-

**ORDER**

- (i) The present M.A./intervention application stands allowed.
- (ii) Learned counsel for the applicant in O.A. shall add the present intervenor in O.A. as respondent No. 3 within a period of one week. The necessary amendment be carried out in that regard.
- (iii) There shall be no order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

**ORIGINAL APPLICATION No. 680 OF 2023  
(Dr. Vandana B. Dudhamal Vs. State of Maharashtra &  
Ors.)**

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

**AND**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Ms. Preeti R. Wankhade, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri M.R. Kulkarni, learned counsel for respondent No. 3.

2. Learned Chief Presenting Officer for the State authorities, as well as, learned counsel for respondent No. 3 seek two weeks' time for filing affidavit in reply. Time granted as prayed for.

3. S.O. to 19.12.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 04.12.2023-HDD

**ORIGINAL APPLICATION NO.1022/2023**  
**(Dr. Yogendra Yeotikar Vs. State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Shri B.R.Kedar, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Respondent no.2 published an advertisement on 18-02-2022 inviting applications for the post of Assistant Commissioner, Animal Husbandry, Group-A. In the advertisement initially published for filling in 38 posts, no post was reserved for candidate coming from NT(D) category. Applicant belongs to NT(D) category.

3. Respondent no.2 on 11-05-2022 published a corrigendum to the advertisement and thereby increased posts from 38 to 56. In the corrigendum one post was shown to be reserved for candidate belonging to NT(D) category. Initially there was no such reservation shown for the candidates coming

from NT(D) category. Therefore, applicant did not apply from the said reserved category and applied from Open category. Now when by way of corrigendum one seat is reserved for NT(D), applicant is hopeful of his appointment against the said seat.

4. Shri Kedar, learned Counsel appearing for the applicant submits that in the general merit list published applicant is shown at Sr.No.53 and one other candidate belonging to NT(D) category is shown at Sr.No.18. Learned Counsel submitted that having regard to the number of marks secured by the candidates and having regard to the number of seats reserved for Open class, NT(D) category candidate at Sr.No.18 is likely to be selected as a candidate from Open category. Learned Counsel further submitted that in the above circumstances though chances of the present applicant being selected are bright, while filling in the application form since the applicant has mentioned that he does not belong to Non-Creamy Layer category, only on that ground the candidature of the applicant is likely to be kept out of consideration. The learned Counsel further added that, the applicant can very

well produce on record the Non-Creamy Layer certificate as income of his parents is within the prescribed limit provided for the Non-Creamy Layer category.

5. Learned Counsel further submitted that applicant apprehends that if in the meanwhile the appointment is made of any candidate belonging to NT(D) category fulfilling the criteria of Non-Creamy Layer, grave prejudice is likely to be caused to the present applicant. In the circumstances, applicant has prayed for an order restraining respondents from filling the post of NT(D) category till the decision of the present O.A.

6. Shri M.S.Mahajan, learned CPO seeks time to file affidavit in reply on behalf of the respondents. He submitted that for want of instructions he is unable to make any authentic statement. Learned CPO further submitted that instead of restraining the respondents from filling the posts reserved for NT(D) candidates, order may be passed that, if such an appointment is made that will be subject to outcome of the present O.A. and that will

sufficiently protect the interest of the present applicant.

7. We have duly considered the submissions made on behalf of the applicant as well as the respondents. Perusal of the advertisement published on 18-02-2022 reveals that it was for recruitment of 38 posts and no seat was shown to be reserved for NT(D) candidate. In the corrigendum issued on 11-05-2022 to the said advertisement the posts are increased from 38 to 56 and one seat is shown to be reserved for NT(D) category candidate. Perusal of the common merit list evinces that the candidate from NT(D) category is at Sr.No.18 in the general merit list. 21 posts are available for open (unreserved) candidates. Therefore, there is substance in the contentions raised on behalf of the applicant that in all probabilities the said candidate is likely to be appointed as an Open candidate though he belongs to NT(D) category. From the merit list, it is also evident that the applicant is the next meritorious candidate from NT(D) category and other NT(D) candidates have secured lower marks than the present applicant.

8. We, therefore, see *prima facie* substance in the contentions raised on behalf of the applicant. In the corrigendum it is specifically mentioned that the candidates who have applied pursuant to the earlier advertisement need not make any fresh application. Earlier, there was no post reserved for NT(D) category and the applicant has rightly shown himself to be falling in the category of Creamy Layer and was contesting from the Open category. After issuance of corrigendum though one post is reserved for NT(D) category, applicant is unable to claim the said reserved seat as he has declared himself to be not falling in the category of Non-Creamy Layer. As submitted by the applicant his parents fall in the category of Non-Creamy Layer and such certificate is possessed by him. However, unless the applicant is permitted to produce the said certificate on record and to correct the information in the application form, MPSC may not consider his claim. We find substance in the apprehension in the mind of the applicant. Only on the aforesaid ground if the candidature of the applicant is not considered, prejudice is likely to be



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caused to the applicant. In the circumstances, we deem it appropriate to pass the following order:

O R D E R

[i] Issue notices to the respondents, returnable on 14-12-2023. **Respondents shall not fill in the seat reserved for NT(D) candidate till filing of reply in the present O.A.**

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

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

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

[v] The service may be done by hand delivery, speed post, courier and acknowledgment be

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obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

[vi] S.O. to 14-12-2023.

[vii] Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO.2249/2023**  
**(Muladharan Prkalpgrasth Kruti Samiti, Ahmednagar Vs.**  
**State of Maharashtra & Ors.)**

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

**DATE : 04.12.2023**

**ORAL ORDER :**

Heard Shri Ajit B. Kale, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Muladharan Prkalpgrasth Kruti Samiti, Ahmednagar is the Applicant Association which has filed the present O.A. seeking following reliefs:

*“A) To quash and set aside the advertisement dt. 03.11.2023 issued by the respondent no. 2, by holding it, contrary to the provisions under Sec 6 (c) of the Maharashtra Project Affected Persons Rehabilitation Act, 1999, and for that purpose issue necessary orders.*

*B) To direct the respondents to issue fresh advertisement reserving 50% of the total posts on the project establishment for the PAPs affected by the respective development projects and for that purpose, issue necessary orders.*

*C) Pending final hearing and disposal of this application kindly grant stay to the advertisement dt. 03.11.2023 issued by the respondent no. 2 and for that purpose issue necessary orders.*

*D) Ad interim relief with respect to the prayer clause "C" may kindly be granted.*

*E) Any other appropriate relief in favor of the applicant may kindly be granted."*

3. Respondent no.2 has issued advertisement for recruitment of 4497 posts of different categories all over the State. There are 14 categories as provided in the advertisement and the applications are invited by specifying the vacancies as are existing in every region of the Water Resources Department. The grievance of the applicant Association is that while advertising the posts, respondents have failed to provide adequate reservation for the Project Affected Persons ("PAPs" for short) by following the provisions made under Maharashtra Project Affected Persons Rehabilitation Act, 1999 (hereinafter referred to "Act of 1999" for short). The emphasis is on the provision under Section 6 and more particularly sub clause (c) thereof.

4. Learned Counsel for the applicant has referred to the judgment delivered by this Tribunal in O.A.No.304/2014 having identical facts. Learned Counsel also referred to the judgment delivered by the Division Bench of the Hon'ble High Court in Writ Petition No.1330/2014 on 29-10-2015, on the basis of which this Tribunal has decided the aforesaid O.A. Learned Counsel inviting our attention to paragraph 13 of the judgment in the Writ Petition submitted that the Hon'ble Division Bench has crystallized the provisions under Sections 6 and 10 the Act of 1999. Learned Counsel further submitted that though the exact data in respect of all the advertised posts is not available with the Association, there are several posts which may come under the purview of Section 6 of the Act of 1999. Learned Counsel submitted that in fact having regard to the provisions under the said Act Government is expected to issue special advertisement so far as the posts to be filled up in respect of the Projects for which the acquisitions have been made.

5. Learned Counsel further submitted that since the advertisement has been recently issued and

the recruitment process is at the preliminary stage, Government may rectify the mistake which has occurred in not specifying the projectwise posts reserved for PAPs. Learned Counsel submitted that if the recruitment process is allowed to proceed further in the same manner, grave prejudice is likely to be caused to the PAPs who are having legitimate claim on at least 50% of the said posts. Learned Counsel in the circumstances prayed for staying the effect and operation of the advertisement dated 03-11-2023 issued by respondent no.2 or in the alternative at least not to proceed further in regard to the posts which are falling within the purview of Section 6 of the Act of 1999.

6. Shri Bhumkar, learned P.O. appearing for the State authorities firstly sought time for submitting affidavit in reply by taking complete instructions in the matter from the authorities concerned. In so far as the request for interim relief is concerned, learned P.O. has strongly opposed for grant of any such interim relief. He has placed on record a short note in oppose of prayer for interim relief referring to the various sections of the Act of 1999. Learned

P.O. submitted that the process of recruitment in any circumstance cannot be restricted and according to him the State Government has taken adequate care for protecting the rights of the PAPs in tune with the Act of 1999. Learned P.O. submitted that provisions under Section 10 are also required to be considered which are fully complied with by the Government while issuing the advertisement. Learned P.O. in the circumstances prayed for rejecting the request of interim relief.

7. We have duly considered the submissions made on behalf of the applicant Association as well as the State authorities. We have perused the documents filed on record by the parties and also considered the provisions under the Act of 1999. It is noticed that reservation as has been provided for the PAPs is on the basis of 50% reservation as provided under Section 10 of the Act of 1999. Perusal of the advertisement further reveals that though the divisionwise / regionwise vacancies are notified there is no specific mention as to which are the posts that will fall under the purview of Section 6 of the Act of 1999 meaning thereby that which are the Projects for which the recruitment is sought.

8. The issue as about the reservation to be provided for PAPs under the provisions of the Act of 1999 was for consideration before the Hon'ble High Court in the Writ Petition No.1330/2014. Paragraph 13 of the said Writ Petition wherein Hon'ble High Court has discussed the provisions under the said Act, more particularly, Section 6 and Section 10 is material in context of the instant O.A. We deem it appropriate to reproduce the entire said paragraph 13 which reads thus:

*“13. The Rehabilitation Act of 1999 is a beneficial piece of legislation. In interpreting such a beneficial legislation the Construction has to be liberal. The beneficial provision has to be liberally interpreted so as to give it a wider meaning rather than restrictive meaning which would negate the very object of the statute. It is also settled proposition that in construing the provisions of beneficent enactment the Court should adopt the construction which advances and fulfills the object of the Act, rather than the one which would defeat the same rendering the benefit illusory. The Rehabilitation Act of 1999 is enacted for the benefit of the persons affected by the certain projects. The provisions of Sec. 6(c) and 10(6)(a) will have to be read harmoniously in a manner they further the object of the statute.*



*Head on collision between these provisions will have to be avoided. Sec. 10(6)(b) of the Rehabilitation Act of 1999 cannot be interpreted in a manner that would render Sec. 6(c) of the Rehabilitation Act of 1999 otiose or a dead letter. Sec. 10(6)(b) of the Rehabilitation Act lays down a general preposition that the State Government and the other persons, societies, etc. shall provide employment to not less than 5% of the cadre strength of Class III and Class IV or equivalent of non technical employees to the nominees of the affected persons. The said provision does not at all restrict said reservation only for 5%. It on the other hand provides that it should not be less than 5%. Along with clause (b), clause (c) of sub Sec. 6 of Section 10 will also have to be considered, which requires that the Collector shall maintain a register showing the recruitment position in the District and ensure removal of backlog in recruitment of the nominees of the affected persons. However, at any recruitment percentage of the persons so recruited from amongst the nominees shall not exceed 50%, meaning thereby that for removal of backlog for recruitment of nominees of affected persons the percentage of persons so recruited from and amongst the nominees can be upto 50%. The whole object of the Act is to rehabilitate the affected persons or their nominees. Considering the provisions of Sec.6(c) and its proviso, so also Sec.10(6)(b) and (c), it is manifest that the reservation for nominees who are affected by the*

*project under reservation can be upto 50% of the posts. If the reservation to such project affected persons is restricted to 2.5% i. e. 50% from 5% then, the object of the Act would never be achieved may be it would be frustrated. Interpreting both these provisions coherently, it is manifest that, special drive can be implemented for filling up the backlog of the nominees who are affected by the project under execution to the extent of 50% of the posts.”*

9. Relying on the decision in the aforesaid judgment, this Tribunal has decided O.A.No.304/2014 wherein as we have noted earlier, identical facts were existing. After having read these two judgments, we do not have any doubt in our minds that under Section 6, more particularly, sub clause (c) thereof, any activity which comes under the definition of Project as defined under Section 2(10) of the Act of 1999, Project Authorities are bound to accommodate the PAPs in the said Project, in so far as the recruitment on the posts of Class-III and Class-IV is concerned up to the extent of 50%. Responsibility is cast on the authorities to maintain data of these PAPs and give them appointments on such Projects with all priority.

In the present advertisement no consideration is given to the said provisions.

10. In the circumstances, we find prima facie substance in the grievance raised by the applicant Association in the present O.A. We agree with the contention raised by the learned Counsel for the applicant that the recruitment process is at a very preliminary stage and the amends can be made to comply with the provisions under the Act of 1999 and wherever the recruitment is in respect of the Project as defined in clause 2(10) of the Act of 1999, the provisions expressly need to be made mentioning therein that 50% posts falling in the category of Class-III and Class-IV are reserved for the project affected persons of the said Project, list of which is maintained with the appropriate authority.

11. For the reasons stated above, though the further process of recruitment as a whole cannot be restricted or stayed, certain directions can be definitely issued in this matter which we do hereinbelow.

[i] Respondents shall specify the number of Class-III and Class-IV posts out of 4497 advertised posts to be recruited on the Project Establishment of the Mula Dam Project. Respondents shall also explain why the reservation is not provided for the recruitment of Class-III and Class-IV posts which are to be filled in on the Project Establishment of the Mula Dam Project as per the proviso to Sub Section (c) of Section 6 of the Act of 1999.

[ii] Respondents shall not carry the recruitment process further in respect of the appointments on the posts of Class-III and Class-IV on the Project Establishment of the Mula Dam Project until further orders.

12. Issue notices to the respondents, returnable on 21-12-2023.

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

14. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete

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

15. 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.

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

17. S.O. to 21-12-2023.

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

**MEMBER (A)**

**VICE CHAIRMAN**