

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

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

**Before: - Court On Leave**

**Date: -05/07/2023**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Urgent Admission Matters</b>						
<b>Order Matters</b>						
<b>1</b>	MA385/21 In MA314/21 In OA555/21	O'bad	Adv.Suresh D Dhongde (Mahendra D Suryawanshi) <b><u>Adv.N.L. Choudhary for R.Nos.3 &amp; 4</u></b>	M.A. For Amendment & Substitution in OA	For Hearing	17.8.2023
<b>2</b>	MA276/23 In OA209/22	Latur	Adv.C.V. Dharurkar (Renuka V Saudagar & Ors.)	M.A. For I.R.		12.7.2023
<b>High On Board Matters</b>						
<b>3</b>	OA715/19	A'nagar	Adv.Sanotsh S Jadhavar (Sushma E Chaudhari)	Appointment	<b><u>For Expedited Hearing</u></b> Reply Filed by R- 1 & R-2	17.8.2023
<b>4</b>	OA28/22	A'nagar	Adv.S.S. Jadhavar (Girish A Bibave & Ors.)	Seniority/ Promotion	<b><u>For Expedited Hearing</u></b> Reply Filed by R-1 to R-3	17.8.2023
<b>5</b>	MA88/22 In OA815/21	J'gaon	Adv.Harshal P Randhir In <b>MA88/22</b> (Yashwant B Birhade) <b><u>Adv.Jitendra V Patil In OA815/21</u></b> (Ganesh M Marathe)	M.A. For Intervention	<b><u>For Expedited Hearing</u></b>	21.8.2023

6	OA197/22	Nanded	Adv.G.K. Muneshwar (Abhijit V Bharne)	Seniority/ Promotion	<b><u>For Expedited Hearing</u></b> Reply Filed by R- 2 & R-3	27.7.2023
7	OA759/22	O'bad	Adv.O.D. Mane/ Adv.A.O. Mane (Manisha A Rashinkar)	Departmental Enquiry	<b><u>For Expedited Hearing</u></b> Reply Filed by R- 1 to R-3	31.7.2023
8	OA916/22	A'nagar	Adv.S.S. Jadhavar (Sushma E Chaudhari)	Appointment	<b><u>For Expedited Hearing</u></b> Reply Filed by R- 1 to R-2	17.8.2023
<b>Due Admission Matters</b>						
9	CP11/22 In OA621/17	Beed	Adv.V.B. Wagh (Shivnanda B Darade)	Contempt Petition	For Hearing Reply Filed by R- 2 to R-3	21.8.2023
10	CP29/22 In OA283/21	A'bad	Adv.H.S. Bali (Gautam A Jadhav)	Contempt Petition	For Hearing Reply Filed by R- 1 & R-2	21.8.2023
11	CP34/22 In OA78/21	A'nagar	Adv.K.B. Jadhav (Shubhangi Y Pawale) <b><u>Adv.Anuradha S Mantri</u></b> <b><u>For R.No.2</u></b>	Contempt Petition	For Admission Reply Filed by R- 1 & R-2	21.8.2023
12	CP36/22 In OA53/20	A'bad	Adv.H.S. Bali (Kailas K Sasane)	Contempt Petition	For Admission	22.8.2023
13	OA304/19 With	A'bad	Adv.Harish S Bali (Pandharinath M Ahire)	Promotion	For Hearing Reply Filed by R- 1 to R-3	29.8.2023
14	OA305/19	A'bad	Adv.Harish S Bali (Gokul S Ingle)	Promotion	For Hearing Reply Filed by R- 1 to R-3	29.8.2023
15	OA409/19	A'nagar	Adv.Sandeep B Gorde (Hanumantrao B Bhongale)	Departmental Enquiry	For Admission Reply Filed by R- 2	14.9.2023

16	OA815/19	Beed	Adv.Sachin S Deshmukh (Rajendrakumar P Barhate) <b><u>Adv.Ajay Deshpande for Spl. Counsel for R.Nos.1 &amp; 2</u></b>	Promotion/ Seniority	For Hearing Reply Filed by R- 1 & R-2	24.8.2023
17	OA956/19	J'gaon	Adv.C.V. Dharurkar/ Adv.A.S. Mirajgaonkar (Rajendra M Chaduhari)	Removal From Service	For Hearing Reply Filed by R- 2 & R-3	24.8.2023
18	OA62/20	Beed	Adv.S.K. Naikwade/ Adv.K.G. Salunke (Dr.Maheshkumar L Mane)	Selection/ Appointment	For Hearing Reply Filed by R- 2	22.8.2023
19	OA385/20	Nanded	Adv.R.D. Khadap (Rajinder singh Shobha Singh Kolhapure)	Compulsory Retirement	For Admission Reply Filed by R- 1 to R-3	28.8.2023
20	OA279/21	Latur	Adv.S.B. Solanke (Pratap A Garje)	Deemed Date of Appointment	For Hearing Reply Filed by R- 2 & R-3	28.8.2023
21	OA345/21	A'bad	Adv.S.B. Solanke (Suvarna R Jadhav)	Appointment	For Hearing Reply Filed by R- 1 to R-3	28.8.2023
22	OA397/21	A'bad	Adv.Avinash S Deshmukh <b>Adv.Avinash S Deshmukh has Filed Leave Note From 03/07/2023 to 05/07/2023 (Abhijeet M Bhise &amp; Ors.)</b>	Appointment/ Absorption	For Hearing Reply Filed by R- 1 to R-3	3.8.2023
23	OA401/21	Nanded	Adv.Shamsunder B Patil (Ramreddy R Aitwar)	Major Punishment	For Hearing Reply Filed by R-1 to R-3	29.8.203
24	OA476/21	Beed	Adv.Mohit R Deshmukh (Machindra K Bhalerao)	Revision of Pay Scale/ Deemed Date of Promotion	For Hearing Reply Filed by R- 2	29.8.2023

25	OA724/21	Dhule	Adv.Pramod S Gaikwad (Sunil S Mate) <b><u>Adv.Ganesh Kedar for R.No.8</u></b>	Enquiry	For Hearing	29.8.2023
26	OA01/22	A'bad	Adv.K.G. Salunke (Vishnu B More)	Promotion	For Hearing Reply Filed by R- 1 to R-3	7.8.2023
27	OA02/22	Jalna	Adv.K.G. Salunke (Shantilal D Hiwarale)	Promotion	For Hearing Reply Filed by R- 1 to R-3	7.8.2023
28	OA300/23 with	A'bad	Adv.Avinash S Deshmukh <b>Adv.Avinash S Deshmukh has Filed Leave Note From 03/07/2023 to 05/07/2023</b> (Ratnaraj R Jawalgekar)	Promotion	For Hearing	31.7.2023
29	OA215/23	A'bad	Adv.Avinash S Deshmukh <b>Adv.Avinash S Deshmukh has Filed Leave Note From 03/07/2023 to 05/07/2023</b> (Ratnaraj R Jawalgekar) <b><u>Adv.A.B. Khrosekhar for R.No.4</u></b>	Promotion	For Hearing	31.7.202
<b>Final Hearing Matters</b>						
30	OA117/17	Jalna	Adv.S.D. Dhongde (Changdev N Dhawale)	Promotion	Reply Filed by R- 2	7.9.2023
31	OA205/18	Nanded	Adv.V.B. Wagh (Santosh K Trimanwar)	Reversion	Reply Filed by R- 1 & R-2	7.9.2023
32	OA666/18	Jalna	Adv.Vivek Pingle (Laxmi S Gadge)	Promotion	Reply Filed by R- 1 & R-2	7.9.2023
33	OA667/18	A'bad	Adv.S.D. Joshi (Gajana P Khot & Ors.)	Seniority	Reply Filed by R-1 & R-2	8.9.2023

34	OA847/18	Nanded	Adv.Talekar & Associates (Ananda N Kolewad) <b><u>Adv.M.R. Wagh for</u></b> <b><u>R.No.4</u></b>	Selection/ Appointment	Reply Filed by R- 2	11.9.2023
35	OA312/19	Beed	Adv J S Deshmukh (Dr. Ashok P Misal)	Appointment	Reply Filed By R-1	11.9.2023
36	OAA385/19	Dhule	Adv.P.B. Rakhunde (Suresh U Nande)	Removal From Service	Reply Filed by R- 2 & R-3	12.9.2023
37	MA169/21 In OAS141/21	Beed	Adv.A.S. Khedkar / Adv.Pranoti R Karpe (Anil J Kande & Ors.)	M.A. For Condonation of Delay	Reply Filed by R-1 & R-3	12.9.2023
38	OA572/21	A'nagar	Adv.V.M. Maney (Babasaheb E Jakate)	Qualifying Service/ Condonation of Degiciency in Service	Reply Filed by R- 2	11.9.2023
39	OA684/21	A'bad	Adv.Sapna D Tangde/ Adv.Neha Kamble (Dr.Rekha G Gaikwad)	Seniority/ Promotion	Reply Filed by R-1, R-2 & R-4	13.9.2023
40	OA706/21 with	Dhule	Adv.Talekar & Associates (Devendra B Bacchav) <b><u>Adv.H.D. Gaikwad for</u></b> <b><u>R.No.4</u></b>	Appointment	For Hearing Reply Filed by R- 1 to R-3	14.9.2023
41	OA707/21 with	Dhule	Adv.Talekar & Associates (Chetan P Kulkarni) <b><u>Adv.H.D. Gaikwad for</u></b> <b><u>R.No.3</u></b>	Appointment	For Hearing Reply Filed by R- 1 to R-3	
42	OA708/21 with	Dhule	Adv.Talekar & Associates (Rahul D Patil) <b><u>Adv.H.D. Gaikwad for</u></b> <b><u>R.No.4</u></b>	Appointment	For Hearing Reply Filed by R- 1 to R-3	
43	OA709/21	Dhule	Adv.Talekar & Associates (Manoj D Bagul) <b><u>Adv.H.D. Gaikwad for</u></b> <b><u>R.No.4</u></b>	Appointment	For Hearing Reply Filed by R- 1 to R-3	

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

*List of Cases set down for Physical Hearing/Admission/Order/etc.*

**Hon'ble Divison Bench  
(Reference Court)**

**Before: - Court On Leave**

**Date: -05/07/2023**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Urgent Admission Matters</b>						
<b>1</b>	OA882/21 (Nagpur Bench)	Wardha	Adv.K.G. Salunke (Shaligram B Dudhe)	Recovery From Pension		11.7.2023

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

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

**Before: - Court On Leave**

**Date: -05/07/2023**

**For Reply Board**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Due Admission Matters</b>						
<b>1</b>	CP07/23 In OA535/19	Dhule	Adv D R Irale Patil (Nitin D Ingle)	Contempt Petition	As a Last Chance For Filing Affidavit in Reply	9.8.2023
<b>2</b>	CP30/23 In OA358/22	A'nagar	Adv Amol N Kakade (Kiran V Jagdale)	Contempt Petition	Await Service R- 2 & R-3	14.8.2023
<b>4</b>	OA629/22	Jalgaon	Adv.Ujjwal Patil (Santosh V Deshmukh & Ors)	Deemed Date of Appointment	One More Last Chance For Filing Affidavit in Reply	22.8.2023
<b>5</b>	OA768/22	Hingoli	Adv.Omprakash Y Kashid/ Adv.V.T. Patil (Satish D Narwade)	Removal From Service	For Filing Affidavit in Reply	22.8.2023
<b>6</b>	OA835/22	J'gaon	Adv.S.R. Patil (Suklal B Pawar)	Benefit of Permanency	For Filing Affidavit in Rejoinder	23.8.2023

7	OA855/22	A'bad	Adv.P.R. Bharaswadkar (Pravin R Khedkar)	Promotion	Reply Filed By R-1 to R-4 & For Filing Affidavit in Rejoinder	23.8.202 3
8	OA877/22	Dhule	Adv.K.B. Jadhav (Deelip R Sonar)	Departmental Enquiry	Reply Filed By R-1 to R-4 & For Filing Affidavit in Rejoinder	7.8.2023
9	OA928/22	Beed	Adv.S.M. Shegaonkar (Bhagwat L Lagad)	Promotion	For Filing Affidavit in Reply	24.7.202 3
10	OA193/23	Jalna	Adv.S.S. Jadhavar (Vinayak U Banchod)	Direction/ Seniority List	For Reply	21.8.202 3
11	OA409/23	Nanded	Adv Shamsunder B Patil (Mukesh S Koshakewar)	Cancellation of Appointment	For Reply	24.7.202 3
<b>Order Matters</b>						
12	MA09/22 In OAS1541/21	Jalna	Adv S S Jadhavar (Smt. Laxmi B Taji)	MA For Condonation Delay	As a Final chance For Filing Affidavit in Reply	21.8.202 3
13	MA10/22 In OAS1586/21	Beed	Adv S S Jadhavar (Nathrao S Chate)	MA For Condonation of Delay	As a Final Chance For Filing Affidavit in Reply	21.8.202 3
14	MA149/23 In OAS1437/22	A'bad	Adv.Kiran G Salunke (Balbir Singh Jagannath Prasad Tyagi)	M.A. For Condonation of Delay	Await Service R-2	22.8.202 3
15	MA154/23 In OAS1216/23	A'bad	Adv.S.S. Dambe (Shivaji R Kachare & Ors.)	M.A. For Condonation of Delay	For Reply	29.8.202 3
16	MA155/23 In OAS1517/23	A'nagar	Adv.K.B.Jadhav (Atul P Bhange)	M.A. For Condonation Of Delay	For Reply	29.8.202 3

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

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

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

**Date: -05/07/2023**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Regular Admission Matters</b>						
<b>Order Matters</b>						
<b>13</b>	MA529/19 In OAST1650/19	Nanded	Adv.S.S. Jadhavar (Gurunath S Purohit)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 3	23.8.2023
<b>14</b>	MA29/22 In OAST11/22	Beed	Adv.V.G. Pingle (Yashvant M Kadam)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 6	7.8.2023
<b>15</b>	MA143/22 In OAST75/22	A'nagar	Adv.Abhijeet B Kale (Sudhir S Bramhne)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-4	23.8.2023
<b>16</b>	MA289/23 In OA496/23	A'bad	Adv.Mohit R Deshmukh (Gurunath S Indurkar)	M.A. For Direction		10.7.2023
<b>17</b>	MA291/23 In OAS119/23	Beed	Adv.Milind Patil (Dr. Arvind N Bagate)	M.A. For Directions	<b>Circulation</b>	21.8.2023
<b>Due Admission Matters</b>						
<b>18</b>	OA89/22	A'nagar	Adv.A.M. Hajare (Bhaskar V Shinde)	Pension & Pensionery Benefits	For Hearing Reply Filed by R-1 & R- 3 to R-5	11.8.2023
<b>19</b>	OA486/22	J'gaon	Adv.A.M. Hajare (Mukesh H Mahajan)	Reinstatement	For Hearing Reply Filed by R-1 to R- 4	Disposed of
<b>20</b>	OA710/22	A'bad	Adv.V.G.Pingle (Dharmraj L Rathod)	Benefit of Time Bound Promotion	For Hearing Reply Filed by R-1 & R- 4 to R-6	29.8.2023



21	OA711/22	A'bad	Adv.V.G. Pingle (Nandu B Chavan)	Benefit of Time Bound Promotion	For Hearing Reply Filed by R-1 & R-4 to R-6	29.8.2023
22	OA1032/22	J'gaon	Adv.A.M. Hajare (Bismilla D Tadvi)	Pensionary Benefits	For Hearing Reply Filed by Respondent	11.8.2023
23	OA61/23	Latur	Adv.A.S. Deshmukh <b>Adv.A.S. Deshmukh has Filed Leave Note From 03/07/2023 to 05/07/2023</b> (Madhav D Shinde)	Transfer	Reply Filed by R-1 to R-4	24.7.2023
<b>Final Hearing Matters</b>						
24	OA950/12	Nanded	Adv.J.B. Choudhary (Sanjeev R Kadam)	Benefits of Time Bound Promotion/ ACPS	Reply Filed by R-1 to R-4	30.8.2023
25	OA578/16	A'bad	Adv.Suchita Dhongde (C.H. Dongaonkar) <b>Adv.D.T. Devane for R.Nos.2 to 5</b>	Time Bound Promotion/ ACPS Direction (Consequential Benefit)	Reply filed by R-2 to R-5	30.8.2023
26	OA395/17	A'bad	Adv.S.D. Joshi (Shobha R Pathak) <b>Adv.S.B. Mene for R.Nos.2 &amp; 3</b>	Pension & Pensionary Benefits	Reply Filed by R-1 to R-3	30.8.2023
27	OA406/18	A'bad	Adv.V.B. Wagh (Arun S Gosavi)	Withdrawal of Benefit of Assured Career Progressive Scheme	Reply filed by R-1 & R-2	30.8.2023
28	OA781/18	Nanded	Adv.J.B. Choudhary (Suryakant M Garude & Ors.)	Deemed Date of Promotion	Reply Filed by R-1 to R-3	30.8.2023
29	OA124/19 With	A'bad	Adv.D.K. Dagadkhair (Arun K Gosawi)	Benefit of Assured career progress scheme	Reply Filed by R-1 to R-6	31.8.2023
30	OA126/19	A'bad	Adv.D.K. Dagdkhair (Raghu G Mehetre)	Benefit of Assured career progress scheme	Reply Filed by R-1 to R-6	31.8.2023
31	OA20/21	Nanded	Adv.Preeti R Wankhade (Ramraje S Chandane)	Suspension	Reply Filed by R-1 to R-3	31.8.2023

32	OA144/21	Beed	Adv.Kakasaheb B Jadhav (Vitthal T Jadhav)	Correction In Date of Birth	Reply Filed by R-1 to R- 3	31.8.2023
33	OA272/21	A'nagar	Adv.V.B. Wagh (Jayawant R Bhangare)	Minor Punishment	Reply Filed by R-1 & R- 2	30.8.2023
34	OA558/21	Beed	Adv.Avinash S Deshmukh <b>Adv.Avinash S Deshmukh has Filed Leave Note From 03/07/2023 to 05/07/2023</b> (Prakash S Aghav Patil)	Transfer	Reply Filed by R-1 to R- 3	3.8.2023
35	OA591/21	Latur	Adv.Sushant B Chaduhari (Vaishnavi S Landage)	Compassionate Appointment	Reply Filed by R-1 & R- 2	31.8.2023
36	OA714/21	P'bhani	Adv.V.B. Wagh/ Adv.Shaikh Wajeed Ahmed (Rahul G Malsamindar)	Compassioante Appointment	Reply Filed by Respondent	28.8.2023
37	OA44/22	Nanded	Adv.Subhash Chilarge (Rekha D Wagatkar & Ors.)	Compassionate Appointment	Reply Filed by R-1 & R- 2	31.8.2023
38	OA273/22	Beed	Adv.H.P. Jadhav (Pradeep P Jadhav)	Compassionate Appointment	Reply Filed by R-1, R-4 & R-5	31.8.2023

**Date: -05/07/2023**

**S.B. For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
<b>Due Admission Matters</b>						
1	OA370/21	A'bad	Adv J S Deshmukh (Jyoti K Mote)	Maternity Leave	For Filing Affidavit in Reply	9.8.2023
2	OA595/21	A'bad	Adv. Ajay .S.Deshpande (Indirakant. N. Bhalerao)	Time Bound Promotion	For Filing Affidavit in Rejoinder	4.8.2023

3	OA720/21	O'bad	Adv.S.B. Patil (Ramchandra G Sawant)	Transfer	For Filing Affidavit in Reply	9.8.2023
4	OA238/22	A'bad	Adv.S.D. Joshi (Rajabai R Kawadikar)	Counting of Service for Pensionary Benefits	For Filing Affidavit in Reply	9.8.2023
5	OA239/22	Nanded	Adv.S.D. Joshi (Surajkumar N Vanje)	Directions/ Compassionate Appointment	For Filing Affidavit in Reply	9.8.2023
6	OA266/22	Nanded	Adv H I Pathan (Sharda D Upewad)	Benefits of Old Pension Scheme	Await Service	10.8.2023
7	OA355/22	Nanded	Adv P P Dama/ Adv V R Kalyankar (Basveshwar J Warad) <b><u>Adv Shamsunder B Patil</u></b> <b><u>For R-2 &amp; R-4</u></b>	House Rent/ Payment Allowances	For Filing Affidavit in Reply	8.8.2023
8	OA510/22	A'bad	Adv A S Deshpande (Prabhakar S Jagtap)	T.B..P & A.C.P.S	For Filing Affidavit in Rejoinder	4.8.2023
9	OA513/22	Latur	Adv.Akshay Kulkarni (Vikram S Vairale)	Kotwal (Compassionate Appointment)	For Filing Affidavit in Rejoinder	10.8.2023
10	OA535/22	A'bad	Adv V B Wagh (Adikrao S Mane)	Benefits of T.B.P & Modified A.C.P.S	For Filing Affidavit in Rejoinder	10.8.2023
11	OA548/22	Jalgaon	Adv.Avinash S. Deshmukh <b><u>Adv A S Deshmukh Has Filed</u></b> <b><u>Leave Note From 30.06.2023 &amp;</u></b> <b><u>03.07.2023 to 05.07.2023</u></b> (Dilip R. Bari)	Transfer	For Filing Affidavit in Rejoinder	31.7.2023
12	OA904/22	P'bhani	Adv.V.M. Maney (Bharti N Madavi(Donekar)	Joining/ Salary	For Filing Affidavit in Reply	10.8.2023
13	OA917/22	O'bad	Adv.C.R. Thorat (Santosh P Madane)	Police Patil	Await Service	10.8.2023
14	OA979/22	P'bhani	Adv.Yogesh P Deshmukh (Chagan Y Gaikwad) <b><u>Adv S B Mene For R-1</u></b> <b><u>to R-4</u></b>	Recovery (Govt. Quarter)	Await Service For R- 4	10.8.2023

15	OA980/22	A'nagar	Adv.Suchita Dhongde (Dattatray V Ambre) <b><u>Adv D T Devane For R- 2 &amp; R-3</u></b>	Pay the Interest on Delay Payment	Reply Filed By R-2	9.8.2023
16	OA1063/22	Dhule	Adv. V.B. Wagh (Dr. Rahul S Hatolkar)	Recovery	Last Chance For Filing Affidavit in Reply	3.8.2023
17	OA1148/22	A'bad	Adv Ravi R Bangar (Asef Aslam Shaikh) <b><u>Adv S D Dhongde for R.Nos.2 &amp; 3</u></b>	Compassionate Appointment	For Reply	9.8.2023
18	OA07/23	Jalna	Adv.A.S. Deshmukh <b><u>Adv A S Deshmukh Has Filed Leave Note From 30.06.2023 &amp; 03.07.2023 to 05.07.2023</u></b> (Sonali D Haregaonkar)	Benefits of ACPS	For Reply	11.8.2023
19	TA12/23 WP6494	Latur	Adv Adgoankar Ravibhushan P Kashibai A Shrimangale & Ors.	Compassionate Appointment	For Filing Affidavit in Rejoinder	11.8.2023
20	OA38/23	A,bad	Adv P V Suryawanshi (Ruapali S Bhise & Ors.)	Compassionate Appointment (Lad-Page)	For Filing Affidavit in Reply	11.8.2023
21	OA99/23	Jalgaon	Adv P H Patil (Bhimrao N More)	Pay & Allowances/ Pensionery & Other Benefits	For Filing Affidavit in Reply	31.7.2023
22	OA100/23	O'bad	Adv S S Kulkarni/ Adv V S Kadam (Rajendra P Sanap)	Suspension/ Re-instatement	Await Service	11.8.2023
23	OA122/23	Dhule	Adv J S Deshmukh (Dr. Teli Shaikh Emaran Shaikh Ismail)	Recovery	For Reply	11.8.2023
24	OA159/23	Jalna	Adv S S Jadhavar (Vinayak U Banchod)	Benefit of G.R.	For Reply	11.8.2023
25	OA160/23	Nanded	Adv Mujahed Hussain (Anantrao V Soudagar) <b><u>Adv D T Devane For R- 3 &amp; R-4</u></b>	Monetary Benefits	For Reply	14.8.2023

26	OA218/23	Beed	Adv R D Khadap (Dr. Sandip T Jodand)	Suspension/ Reinstatement	For Reply	31.7.2023
27	OA289/23	O'bad	Adv P V Suryawanshi (Dharma H (Uchappa) Dupargude & Ors.)	Compassionate Appointment	For Reply	11.8.2023
28	OA307/23	A'nagar	Adv D R Markad (Sarika B Wandhekar)	Minor Punishment	Await Service	9.8.2023
29	OA396/23	A'bad	Adv Shrikishan S Shinde (Madhavi S Harne (Kale)	Transfer	Await Service R-2	14.8.2023
30	OA404/23	A'bad	Adv Kiran G Salunke (M Javedkhan M Pashakhan Pathan)	Direction/ Posting	For Reply	10.8.2023
31	OA410/23	Nanded	Adv A B Kharosekar/ Adv G R Jadhav/ Adv O B Boiwad (Vikas H Salanke)	Transfer	Notice Not Collected	Disposed of
32	OA419/23	A'nagar	Adv Kakasaheb B Jadhav (Dilip V Dengale)	Police Patil	For Reply	14.8.2023
33	OA420/23	N'bar	Adv Kakasaheb B Jadhav (Mamta S Vispute)	Benefit Of G.R	For Reply	10.8.2023
34	OA430/23	O'bad	Adv Kiran G Salunke (Indubai B Kasbe)	Arrears	For Reply	10.8.2023
<b>Order Matter</b>						
35	MA88/21 In OAsT323/21	A'bad	Adv R A Joshi (Shrikant K Bhale)	MA For Condonation of Delay	Await Service	14.8.2023

**ORIGINAL APPLICATION NO. 544 OF 2023**  
**(Umesh D. Palve Vs. State of Maharashtra & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri S.S. Jadhavar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The applicant is presently working as Principal at Industrial Training Institute, Shevgaon, District Ahmednagar. Vide impugned transfer order he has been transferred at Bodwad as the Principal of Industrial Training Institute there. Bodwad comes under Jalgaon district. The applicant is not disputing that he was due for transfer this year. It is however his grievance that he has not been given posting at any of three places for which he has submitted his options/preferences and when all the said posts are vacant. Another ground which the applicant has raised is the ailment and treatment of his parents. It is the contention of the applicant that it will be difficult for the applicant to get required treatment for his parents at the transferred place i.e. Bodwad. Learned counsel submitted that

the applicant has not yet been relieved from his existing post nor any other officer has been appointed or given posting in his place. It is further contended that only nine persons falling under the category of Principal of Industrial Training Institute have been transferred and even after their transfers, three posts for which the applicant has submitted his preferences are lying vacant. Learned counsel in the circumstances prayed for temporarily staying the effect and operation of the impugned order till decision of the present Original Application.

3. Shri N.U. Yadav, learned Presenting Officer has opposed for grant of any interim relief and has prayed for time to file affidavit in reply. Learned P.O. submitted that the transfer of the applicant has been effected undisputedly on administrative ground. He further submitted that the reasons, which necessitated transfer of the applicant, can be elaborated only in the affidavit in reply, which may be filed on behalf of the respondents. He further submitted that in the order of transfer the reasons cannot be elaborated. In the circumstances, according to the learned P.O. until the reasons are

disclosed, it may be unjust and improper to grant any interim relief in favour of the applicant. He further submitted that the applicant, it was aggrieved with the order of transfer, must have by this time submit representation brining to notice of the authorities the difficulties which he is likely to face because of such transfer and had such representation made by the applicant, the authorities would have certainly considered such representation. Learned P.O. in the circumstances while praying time for filing affidavit in reply, prayed for rejecting the request for interim relief.

4. I have duly considered the submissions made on behalf of the applicant, as well as, respondents. As has been submitted by the learned counsel for the applicant the applicant was due for transfer this year. The grievance raised by the applicant is that without considering the preferences given by the applicant, he has been transferred at a distant place. It is his further grievance that when no one has been posted on the vacant places, for which the applicant has given his options, the applicant must have been transferred at any of such places. As



//4//

O.A. No. 544/2023

against it, according to the learned P.O. the transfer has been effected on administrative ground. It is true that in the order of transfer it may not be possible and in fact it is not required to elaborate the administrative reasons. Such reasons can be disclosed by the respondents in their affidavit in reply. Learned P.O. has sought time to file affidavit in reply. However, having considered the fact that the applicant has not yet been relieved from his existing post and no one has yet been given posting in his place, no prejudice would be caused to the respondents, if the applicant is permitted to be continued in his existing post till filing of the affidavit in reply by the respondents. In the circumstances, I deem it appropriate to pass the following order :-

### **ORDER**

- i. Issue notices to the respondents, returnable on 27.07.2023, **till then the respondents shall allow the applicant to discharge his duties at his existing post.**
- ii. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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O.A. No. 544/2023

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

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

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

vi. S.O. to 27.07.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 545 OF 2023**  
**(Smt. Vaishali A. Salve Vs. State of Maharashtra & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

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

2. The applicant, who is presently working as Circle Officer at Rui Chahattisi, Tq. and Dist. Ahmednagar, has been transferred as Awwal Karkoon (EGS), Tahsil Office, Sangamner, District Ahmednagar vide the impugned order of transfer dated 30.06.2023. It is grievance of the applicant that before issuing the impugned order, process of counseling has been given go by and that is the reason that the applicant has been transferred at the place for which she has not given any option. Learned counsel for the applicant submitted that the places for which the applicant has given options were liable to be vacant because of completion of tenure of the officers concerned on such posts. In the circumstances, the applicant must have been transferred at any of such place. Learned counsel submitted that when certain procedure has been prescribed by the Government, the same has to be scrupulously followed. Learned counsel submitted that had the counseling done, the applicant

must have disclosed the reasons behind her request to transfer at the place for which she had given option. Since the counseling did not take place, she has been transferred at the place at a distance of more than 75 Kms. Learned counsel submitted that the applicant has not yet been relieved from her existing post and no one has been posted in her place. In the circumstances, learned counsel has prayed for stay to the effect and operation of the impugned transfer order till decision of the present Original Application.

3. Learned Presenting Officer tendered across the bar the communication received from the Resident Deputy Collector, District Aurangabad dated 4.7.2023, which is annexed with the another documents evidencing that the applicant has been relieved from her existing post and charge of her post has been directed to handover to Shri V.L. Gore, Circle Officer, Chichodi Patil. Learned PO submitted that though it is true that the options are being called for, it at all times does not become possible to post the Government servants at their place of choice having regard to the administrative exigencies. Learned PO submitted that the Government employees are not expected to raise the grievance only on the ground that they have been transferred beyond choice given by them.

He, therefore, prayed for rejecting the interim relief and also prayed for time to file affidavit in reply.

4. I have duly considered the submissions made on behalf of the applicant, as well as, respondents. It is the main grievance of the applicant that counseling is mandatory process before effecting the transfer and the same has been given go-by. In his argument learned PO did not make any specific statement whether counseling was done before effecting transfer or not. It is true that sometime it may not be possible to the Government to post the employee at the place of his choice because of some administrative exigencies. It is thus evident that till the said reasons are disclosed by the respondents, the entire facts may not be available with the Tribunal. Though the applicant has come out with the case that she has not been relieved. The documents produced on record by the learned PO evinces that the applicant has been relieved and the charge of her post has been handed over to one Shri Gore in addition to his charge. It is thus evident that no one has been regularly posted in place of the applicant. Having regard to the fact that the procedure prescribed for effecting transfer does not seem to have been observed, it would be necessary to protect the interest of the applicant till all the facts come on record through affidavit in reply of respondents.

//4//

O.A. No. 545/2023

Hence, the following order :-

**ORDER**

- i. Issue notices to the respondents, returnable on 27.07.2023, **till then the respondents shall allow the applicant to discharge her duties of her existing post.**
- ii. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- iii. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- iv. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- v. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- vi. S.O. to 27.07.2023.
- vii. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 973 OF 2023**  
**(Rama B. Waghmare & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Shri H.V. Patil, learned counsel for the applicants (**Absent**). Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicants, S.O. to 25.08.2023.

**VICE CHAIRMAN**

KPB ORAL ORDER 05.07.2023

**ORIGINAL APPLICATION NO. 629/2022**  
**(Santosh V. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Shri Ujjwal Patil, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief 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. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 22.08.2023 for filing rejoinder affidavit.

**VICE CHAIRMAN**



**M.A. No. 10/2022 in O.A. St. No. 1586/2021**  
**(Nathrao S. Chate Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Shri S.S. Jadhavar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief 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 in M.A. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 21.08.2023 for filing rejoinder affidavit.

**VICE CHAIRMAN**

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

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Shri K.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 07.08.2023 for hearing. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

KPB ORAL ORDER 05.07.2023

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

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Shri K.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 07.08.2023 for hearing. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

KPB ORAL ORDER 05.07.2023

**M.A.NO. 296/2023 IN M.A.ST.NO. 1260/2023 IN  
O.A.ST.NO. 1261 /2023**

**(Shri Vijay Govind Jamadar & Ors. Vs. the state of Maharashtra  
& Ors.)**

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri K.J. Ghute Patil, learned counsel  
for the applicants and Shri M.P. Gude, learned  
Presenting Officer for the respondent authorities.

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

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

**VICE CHAIRMAN**

SAS ORAL ORDER 05.07.2023

**M.A.ST.NO. 1260/2023 IN O.A.ST.NO. 1261 /2023**

**(Shri Vijay Govind Jamadar & Ors. Vs. the state of Maharashtra & Ors.)**

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri K.J. Ghute Patil, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. 76 days delay has occurred in filing the Original Application.

3. Learned P.O. has submitted for passing appropriate order.

4. Considering the reasons stated in the Misc. Application which according to me are just and sufficient, the delay is condoned. The present Misc. Application stands disposed of accordingly without any order as to costs.

5. The O.A. be registered in accordance of law.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST.NO. 1261 /2023**

**1. Shri Vijay Govind Jamadar**

**2. Shri Umakant Uddhav Kompale ... Applicants**

**Vs.**

**The State of Maharashtra & Ors. ...Respondents**

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri K.J. Ghute Patil, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. The case of the present applicants is identical with the cases of applicants in O.A.St.No. 1136/2023, O.A.No. 360/2022, O.A.No. 523/2023, M.A.No. 294/2023 in O.A.No. 430/2022 and M.A.No. 293/2023 in O.A.No. 664/2022. In the aforesaid Original Applications on 04.07.2023 this Tribunal has passed interim order by recording reasons. Applicants in the present matter stand at par with the applicants in the said Original Applications. In the circumstances for the reasons recorded in the order passed by this Tribunal on

//2// O.A.St.1261/2023

04.07.2023 in O.A.St.No. 1136/2023, O.A.No. 360/2022, O.A.No. 523/2023, M.A.No. 294/2023 in O.A.No. 430/2022 and M.A.No. 293/2023 in O.A.No. 664/2022, in the present matter the same interim relief deserves to be granted in favour of the present applicants. Hence the following order:-

**ORDER**

- (i) Issue notice to the respondents, returnable on 27.07.2023.
- (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

//3// O.A.St.1261/2023

questions such as limitation and alternate remedy are kept open.

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

**(vi) The M.P.S.C. is directed to issue the interview letters to the applicants in this O.A. on their e-mail addresses, which have been provided by these applicants in their application forms or on their WhatsApp and to permit these applicants to attend the interview on the date scheduled for them.**

**(vii) It is clarified that while the applicants shall be interviewed on merits, the result of the interview shall be subject to outcome of present Original Application.**

(viii) Learned P.O. to communicate the present order to M.P.S.C. on Fax or by any other fastest mode of communication.



//4// O.A.St.1261/2023

(ix) List the matters on 27.07.2023 for filing affidavit in reply by the respondents.

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

**VICE CHAIRMAN**

SAS ORAL ORDER 05.07.2023

**M.A.NO. 291/2023 IN O.A.NO. 119 /2023**

**(Dr. Arvind N. Bagate Vs. the state of Maharashtra & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri Milind Patil, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Due to paucity of time, the matter cannot be heard.

3. S.O. to 21.08.2023. Interim relief granted earlier in O.A. to continue till then.

**VICE CHAIRMAN**

SAS ORAL ORDER 05.07.2023

**ORIGINAL APPLICATION NO. 410 OF 2023**

**(Shri Vikas Hiranman Solanke Vs. the state of Maharashtra & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

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

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application. Hence, following order:-

**ORDER**

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

**VICE CHAIRMAN**

**M.A.NO. 149/2023 IN O.A.ST.NO. 437/2022**  
**(Shri Balbir Singh Jagannath Prasad Tyagi Vs. the state of Maharashtra & Ors.)**

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

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

2. At the request of the learned counsel for the applicant, re-issue notice to the respondent No.2 in M.A., returnable on 22.08.2023.

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

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

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

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

7. S.O. to 22.08.2023.

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

**VICE CHAIRMAN**

**M.A.NO. 276/2023 IN O.A.NO. 209/2022**  
**(Renuka Vikram Saudagar and Ors. Vs. the state of Maharashtra & Ors.)**

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri C.V. Dharurkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned C.P.O. has sought time to file affidavit in reply to the Misc. Application.

3. After having heard the learned counsel for the applicants, I convinced that there is some urgency in the present matter and as such the respondents are expected to submit their affidavit in reply at the earliest.

4. Learned C.P.O. submits that the reply will be filed by 12.07.2023 and copy of reply will be given in advance to learned counsel for the applicants.

5. S.O. to 12.07.2023.

**VICE CHAIRMAN**

**C.P.NO. 40/2023 IN O.A.NO. 350/2023**  
**(Shri Sandip Uttamrao Patil Vs. the state of Maharashtra & Ors.)**

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned P.O. for the respondents tendered across the bar the posting order dated 05.07.2023 of the applicant whereby the applicant has been transferred on the establishment of Superintendent of Police, District Nandurbar. It is taken on record. Learned counsel in the circumstances has prayed for disposing of the Contempt Petition.

3. Considering the submission so made, the present Contempt Petition stands disposed of without any order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 532 OF 2023  
(Prashant C. Nikalje Vs. State of Mah. & Ors.)**

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

**DATE :** **05.07.2023**

**ORAL ORDER :**

Heard Ms. Preeti R. Wankhade, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 25.7.2023.

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

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

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

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

7. S.O. to 25.7.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 498 OF 2023  
(Ratnakala Martandrao Mohite Vs. State of Mah. & Ors.)**

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

**DATE :** **05.07.2023**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 17.8.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 17.8.2023.
8. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 499 OF 2023  
(Yamunabai Manga Choudhari Vs. State of Mah. & Ors.)**

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

**DATE :** 05.07.2023

**ORAL ORDER :**

Shri Datta Amadake, 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 17.8.2023.

**VICE CHAIRMAN**

ORAL ORDER 05.07.2023-HDD

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

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

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri Rahul R. Karpe, learned counsel for the applicants and S/Shri B.S. Deokar & D.R. Patil, learned Presenting Officers for the respective respondents in respective OAs.

2. Since identical issues are involved in both these matters, I have heard both these matters together and deem it appropriate to pass common order in both these matters.

3. Both the applicants are working as class-IV employee (Peon) at Rahuri and one of them is transferred at Kopargaon when another has been transferred to Shevgaon. Learned counsel submitted that the applicants had never made any request for their transfer. However, in the order of transfer it has been wrongly mentioned that the impugned orders of transfer are issued on request of the applicants. Learned counsel further submitted that the norms which are laid down are not followed while issuing the impugned transfer

**:: - 2 - :: OAs 534 & 535 both of 2023**

orders. Learned counsel submitted that the applicants have not yet been relieved from their existing post. In the circumstances, request is made for granting interim stay to the impugned orders or alternatively an order of status quo as on today is requested to be passed.

4. Learned Presenting Officers have opposed for grant of any such relief as has been prayed by both the applicants. Learned POs submitted that the applicants have already been relieved from their existing post. Learned POs submitted that other instructions are not yet received. They have, therefore, prayed time for making submissions, as well as, for filing affidavits in reply on behalf of the respondents.

5. I have duly considered the submissions made on behalf of the applicants, as well as, respondents. It appears to me that only issue needs to be considered is whether the applicants had made a request for their transfer as has been averred in the orders of transfer or without their request the transfers have been effected. It appears to me that the transfer is an incident of Government service. Transfers are not effected at any faraway place. In the circumstances, except the aforesaid issue, no other issue in my opinion may require any consideration. In the circumstances, the following order is passed: -

**:: - 3 - :: OAs 534 & 535 both of 2023**

**ORDER**

- (i) Issue notices to the respondents, returnable on 19.7.2023.
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iii) Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- (iv) This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- (v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- (vi) S.O. to 19.7.2023.
- (vii) Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

ORAL ORDER 05.07.2023-HDD

**ORIGINAL APPLICATION NO. 536 OF 2023  
(Gorakh V. Dive Vs. State of Maharashtra & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri Rahul R. Karpe, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. It is the grievance of the applicant that vide impugned order dated 27.6.2023 he has been transferred from Latur to Nanded when he has rendered the service only for 4 months on the existing post and more importantly when only 9 months are remaining for his retirement. Learned counsel appearing for the applicant submitted that on 4.4.2023 representation was submitted by the applicant, thereby praying for his retention on posting at Latur for the reasons elaborated in the said application. Learned counsel submitted that apparently the act of the respondents in transferring the applicant within 4 months from his existing post and when he is due for retirement on 6.3.2024 appears to be actuated with some malice. Learned counsel submitted that the Section 5 (1) (a) of the Maharashtra Government Servants regulation of Transfer and Prevention of Delay in Discharge of Official

Duties Act, 2005 (for short 'the Transfer Act of 2005') specifically provides that the employee due for transfer after completion of tenure at a station of posting or post if has less than one year for retirement he can be retained at the said station till his retirement. Learned counsel in the circumstances has prayed for staying the impugned order of transfer. Learned counsel submitted that the applicant has not yet been relieved from his existing post, neither any officer has been posted in his place.

3. Learned P.O. appearing for the respondent authorities submitted that as mentioned in the order of transfer the applicant has been transferred on administrative ground. Learned P.O. submitted that she will have to take instructions about the reasons necessitating the transfer of the applicant. Learned P.O. in the circumstances, has sought time to take instructions and file affidavit in reply on behalf of the respondents. She has however, opposed for granting any interim relief stating that unless the reason is made known to the Tribunal it may be unjust to grant any such relief.

4. I have duly considered the submissions made on behalf of the applicant, as well as, respondents. It is true that in the order of transfer the respondents are not

expected to elaborate the reasons which necessitated the transfer of employee concerned. It further cannot be disputed that the respondents have right to transfer the Government servant even before completing his or her tenure, if it is so required for the purpose of administration. However, in the present matter the facts which are pleaded by the applicant cannot be just overlooked as because the order of transfer is stated to be made on administrative ground. *Prima facie*, it appears that the applicant has been transferred within 4 months of his rendering service at the existing post. It is not disputed that the applicant is retiring on 6.3.2024. The provisions under Section 5(1)(a) of the Transfer Act of 2005, which has been relied upon by the applicant favours the case of the applicant. In the circumstances, while giving opportunity to the respondents to bring all necessary material on record by filing their affidavit in reply, I deem it appropriate to protect the interest of applicant till then. Hence, the following order: -

**ORDER**

- (i) Issue notices to the respondents, returnable on 19.7.2023.

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

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

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

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

(vi) **Time is granted till 19.7.2023 to the respondents for filing their affidavit in reply. Till then the respondents shall allow the applicant to discharge duties on his existing post.**

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

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 486 OF 2022  
(Mukesh Hari Mahajan Vs. State of Mah. & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Heard Shri A.M. Hajare, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicant has tendered the copy of communication dated 14.3.2023, whereby the competent authority has reinstated the applicant by reserving its right to conduct the departmental enquiry. Learned counsel submits that in view of the decision so taken the applicant does not desire to prosecute the matter. On instructions, learned counsel appearing for the applicant has sought permission to withdraw the present Original Application. Hence, the following order: -

**ORDER**

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 89 OF 2022  
(Bhaskar Vithoba Shinde Vs. State of Mah. & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Shri A.M. Hajare, learned counsel for the applicant and Mrs. Deepali S. Depande, learned Presenting Officer for the respondent authorities, present.

2. Learned counsel appearing for the applicant has tendered the rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. List the matter for hearing on 11.8.2023.

**VICE CHAIRMAN**

ORAL ORDER 05.07.2023-HDD

**ORIGINAL APPLICATION NO. 355 OF 2022  
(Basveshwar J. Warad Vs. State of Mah. & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Ms. Dama, learned counsel holding for Shri P.P. Dama, learned counsel for the applicant, Mrs. Deepali S. Depande, learned Presenting Officer for the respondent authorities and Shri Shamsunder B. Patil, learned counsel for respondent No. 4, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted by way of last chance. It is made clear that if no affidavit in reply is filed on or before the next date, the matter will be heard without affidavit in reply of the respondents.

3. S.O. to 8.8.2023.

**VICE CHAIRMAN**

ORAL ORDER 05.07.2023-HDD

**ORIGINAL APPLICATION NO. 218 OF 2023  
(Dr. Sandip T. Jogdand Vs. State of Mah. & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Shri R.D. Khadap, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, present.

2. Learned Presenting Officer has sought time to file affidavit in reply. Time granted by way of last chance. It is made clear that if the affidavit in reply is not filed on or before the next date, the matter will be heard on merits without affidavit in reply of the respondents.

3. S.O. to 31.7.2023.

**VICE CHAIRMAN**

ORAL ORDER 05.07.2023-HDD

**ORIGINAL APPLICATION NO. 99 OF 2023  
(Bhimrao N. More Vs. State of Mah. & Ors.)**

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

**DATE : 05.07.2023**

**ORAL ORDER :**

Shri R.D. Khadap, learned counsel holding for Shri P.H. Patil, learned counsel for the applicant and N.U. Yadav, learned Presenting Officer for the respondent authorities, present.

2. Learned Presenting Officer has tendered affidavit in reply on behalf of respondent Nos. 2 to 4 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 31.7.2023 for filing rejoinder affidavit, if any.

**VICE CHAIRMAN**

ORAL ORDER 05.07.2023-HDD

**ORIGINAL APPLICATION NO. 540/2023**  
**(Dr. Gitesh D. Chawada Vs. the State of Maharashtra & Ors.)**

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

**DATE : 5.7.2023**

**ORAL ORDER :**

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

2. The applicant is serving as a Medical Officer at Sub-District Hospital and Trauma Care Centre, Gangapur, Dist. Aurangabad since 2016. It is not disputed that the applicant was due for transfer in the annual general transfers of this year. The learned counsel for the applicant, however, submitted that the applicant has been transferred at a place 273 kms away from the existing station. The learned counsel submitted that the applicant is suffering from serious illness and is unable to sit longer time and importantly cannot travel such a long distance. It is further contended that mother of the applicant is suffering from cancer and is undergoing treatment at Kamalnayan Bajaj Hospital

at Aurangabad. For aforesaid 2 reasons, the learned counsel has submitted that the applicant has given options for vacant posts in Aurangabad District. The learned counsel submitted that the circumstances which are mentioned above were to be considered, having regard to the policy of the Government for transfer. However, contrary to that, the applicant has been transferred at Jalgaon Jamod, Dist. Buldhana. The learned counsel submitted that the applicant has not yet been relieved. The learned counsel submitted that applicant is not at all willing to stay at the existing station and is ready to go on any post for which he has given his options. The learned counsel submitted that the post at Pachod is clearly vacant and the applicant can be conveniently posted there. The learned counsel submitted that the applicant has already preferred representation making his grievance about his transfer at Jalgaon-Jamod, Dist. Buldhana and about giving him posting at Pachod, however, it is not yet decided.

3. Shri M.P. Gude, learned Presenting Officer has sought time to file affidavit in reply. The learned PO

submitted that unless the instructions are received from the respondents, it may not be possible for him to make any submission about the correctness of the facts stated by the learned counsel. The learned PO however submitted that the applicant has not come out with any case that he has been transferred mala-fide and considering that the transfer is an incident of service, no case is made out for grant of any interim relief as prayed by the learned counsel.

4. I have duly considered the submissions advanced on behalf of the applicant, as well as, the respondents. It is not disputed that there is a policy in operation for effecting transfers of the Government employees. The Government Resolution dated 9.4.2018 (Annex. A-11 page 87 of the paper book) lays down certain guidelines for effecting transfers of the Government employees. Perusal of said guidelines reveal that certain difficulties of the Government employee like his own ailment or serious ailment like cancer of his nearest relatives are considered for giving convenient posting to the Government employees. It further can be gathered that unless it is impossible to post



: -4- ::

**O.A. NO. 540/2023**

the Government employee at any of his choice place then only he can be posted at any other place. In the present matter for the aforesaid reasons, it appears to me that the applicant has made out a prima-facie case. The applicant has not yet been relieved from the present post. The representation made by the applicant is yet to be considered by the authorities. Hence, the following order :-

### **ORDER**

1. Issue notice to respondents, returnable on 26.7.2023, **till then the respondents shall allow the present applicant to discharge his duties on his existing post.**
2. **In the meanwhile, it would be open for the respondents to consider the representation submitted by the applicant on its own merits and in accordance with the provisions under the relevant Act and rules.**
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- ::

**O.A. NO. 540/2023**

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 26.7.2023.
8. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

ARJ ORAL ORDER 5.7.2023

**ORIGINAL APPLICATION NO. 541/2023**  
**(Dr. Sanjay K. Muley Vs. the State of Maharashtra & Ors.)**

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

**DATE : 5.7.2023**

**ORAL ORDER :**

Heard Shri Mohit Deshmukh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. It is the grievance of the applicant that, in spite of vacant posts available in the District for which the applicant has given option, he has been transferred not only out of District, but also outside the Division. The applicant was working at Nagad, Tq. Kannad, Dist. Aurangabad and has been transferred at Shegaon, Dist. Buldhana. The learned counsel for the applicant submitted that the impugned transfer is contrary to the guidelines laid down for effecting such transfers. The learned counsel submitted that the applicant has not yet been relieved and no one has been posted in his place. The learned counsel further submitted that the applicant doubts that his transfer has been shown at Shegaon, Dist. Buldhana for the reason that the

::-2-::

**O.A. NO. 541/2023**

person in whose place he has been transferred, was holding the same qualification like MBBS-PSM, which the applicant is holding. This problem has been faced only by 31 officers having same qualification. The learned counsel, therefore, prayed for staying the effect and operation of the impugned order till the decision of the present Original Application.

3. Smt. M.S. Patni, learned Presenting Officer has sought time to file the affidavit in reply. The learned P.O. however has not disputed the guidelines, which are referred by the learned counsel. On perusal of said guidelines, it prima-facie appears that the applicant has been transferred in breach of said guidelines. Since the applicant has not yet been relieved and no one has been posted in his place, I deem it appropriate to pass the following order :-

**ORDER**

1. Issue notice to respondents, returnable on 26.7.2023, **till then the respondents shall allow the applicant to continue to discharge his duties on the existing post.**

::-3-::

**O.A. NO. 541/2023**

2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
3. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
4. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
5. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
6. S.O. to 26.7.2023.
7. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 543/2023**

**(Shaikh Abdul Rizwan Mannan Vs. the State of Maharashtra & Ors.)**

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

**DATE : 5.7.2023**

**ORAL ORDER :**

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

2. The applicant is a Medical Officer presently working at Sub District Hospital, Vaijapur, Dist. Aurangabad. Vide the impugned order the applicant has been transferred at Rural Hospital, Ajintha, Dist. Aurangabad. It is the grievance of the applicant that though he has not given his preference for the aforesaid post and though the posts at the places for which the applicant has given his options were vacant and are still vacant, the applicant has been transferred at Ajintha. The learned counsel for the applicant submitted that mother of the applicant is suffering from several ailments and more particularly kidney failure. It is contended that the applicant has to take his mother for dialysis regularly. In the circumstances, the

applicant has prayed for his posting nearby Aurangabad. The learned counsel submitted that the applicant has not yet been relieved nor any officer has been posted in his place. The learned counsel submitted that the applicant has submitted representation however the same has not yet been decided. In the circumstances, the learned counsel has prayed for interim relief, thereby temporarily staying the effect and operation of the impugned order till the decision of the present Original Application.

3. Shri V.R. Bhumkar, learned Presenting Officer has sought time to file the affidavit in reply on behalf of the respondents. The learned PO submitted that the transfer is an incident of service and unless it is alleged that the transfer is made in violation of the guidelines or in contravention of the provisions of the Transfer Act, 2005, then only the interference may be caused by the Tribunal. The learned PO in the circumstances has prayed for refusing the interim relief and has also sought time for filing the affidavit in reply.

4. I have duly considered submissions made on behalf of the applicant and the learned Presenting Officer. The applicant is not disputing that he is due for his transfer from his existing place this year. It is however his grievance that the respondents ought to have considered his genuine difficulties in seeking posting on any of the post near-by Aurangabad. It is not in dispute that Ajintha is at a distance of more than 150 kms from Aurangabad. The documents filed on record prima-facie show that mother of the applicant is suffering from disease of kidney. As submitted by the applicant, she has to be taken for dialysis regularly and the said facility is available at Aurangabad. It is further contended that the applicant being the only male member in the family, it would be difficult for him to frequently come at Aurangabad for getting dialysis done of his mother. It is true that the Government employees are bound to be transferred after completing their ordinary tenure at one place. However, it is also a fact that there are certain guidelines for considering the difficulties of the employees and in the said difficulties the serious ailment of any of the family members is one of the weighty reason. In view of the



fact that the applicant has not yet been relieved from the present post and no one has been posted in his place and having regard to the fact that his representation has not yet been decided by the respondents, I deem it appropriate to pass the following order :-

**ORDER**

1. Issue notice to respondents, returnable on 27.7.2023, **till then the respondents shall allow the applicant to discharge his duties on the existing post.**
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
3. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
4. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
5. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

::-5-::

**O.A. NO. 543/2023**

6. S.O. to 27.7.2023.
7. Steno copy and Hamdast is allowed to both parties.

**VICE CHAIRMAN**

ARJ ORAL ORDER 5.7.2023