

**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: -06/02/2024**

**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>	OA631/21	Nanded	Adv A B Rajkar (Shamsundar K Surywanshi) <b><u>Adv V C Solshe For R-2 &amp; R-3</u></b>	Time Bound Promotion/ ACPS	For Filing Affidavit in Rejoinder	22.2.2024
<b>2</b>	OA722/21	Nanded	Adv A B Rajkar (Ashok K Bhalerao & Ors.) <b><u>Adv Mahesh C Swami For R-2 to R-6</u></b>	Benefit of Time Bound Promotion & ACPS	For Filing Affidavit in Rejoinder	22.2.2024
<b>3</b>	OA277/22	Jalna	Adv Azizoddin R-Syed (Akhtar Baig Baba Baig)	Compassionate Appointment [Lad- page samiti]	As a One More Chance for Filing Affidavit in Reply <b><u>Ref Order Dtd. 12.12.2022</u></b>	15.3.2024
<b>4</b>	OA378/22	A'bad	Adv Vijay C Suradkar (Kiran K Waghule )	Compassionate Appointment [Lad-Page Samiti]	Await Service	15.3.2024
<b>5</b>	OA549/22	A'bad	Adv Party in Person (Smt.Mangal S Khetre)	Compassionate Appointment [Lad-Page]	Reply Filed By R-1 to R-3 & For Filing Affidavit in Rejoinder	15.3.2024
<b>6</b>	OA598/22	O'bad	Adv Shivraj V Deshmukh (Dilipkumar R Patil)	Direction Pay all Pensionery Benefits	Reply Filed By R-1 to R-2 R-5 & For Filing Affidavit in Rejoinder	28.2.2024
<b>7</b>	OA688/22	Nanded	Adv Amruta Paranjape Menezes (Ashok K Ghuge)	Recovery	Await Service	06.3.2024

8	OA781/22	A'bad	Adv.S.B. Solanke (Shaikh Mohd Shahbaz Sk. Mohd. Shakil)	Compassionate Appointment (Lad Page Samiti)	For Filing Affidavit in Reply	15.3.2024
9	OA1043/22	A'bad	Adv R N Bharaswadkar (Smt. Bhagubai J Gangawane)	Refund of Recovered Amount	For Filing Affidavit in Reply R-1 to R-5 & For Filing Affidavit in Rejoinder <b>Ref Order Dtd. 18.08.2023</b>	06.3.2024
10	OA88/23	Thane	Adv P R Wankhade (Dr. Sachin V Nawale)	Regularization of Service	For Filing Affidavit in Reply	5.3.2024
11	OA122/23	Dhule	Adv J S Deshmukh (Dr. Teli Shaikh Emaram Shaikh Ismail)	Recovery	For filing Affidavit in Reply	6.3.2024
12	OA230/23	Beed	Adv Avinash S Deshmukh (Rakhi C Janwale)	Compassionate Appointment	For Filing Affidavit in Reply	4.3.2024
13	OA238/23	Beed	Adv S B Solanke (Shaikh Mukhtar Shaikh Chand)	Compassionate Appointment [Lad- Page]	For Filing Affidavit in Reply	15.3.2024
14	OA367/23	Nanded	Adv Anil P Basarkar (Jagdish N Karadpalle)	Compassionate Appointment	For Filing Affiavit in Reply	23.2.2024
15	OA489/23	A'bad	Adv A S Deshmukh (Smt. Rekha B Tathe) <b><u>Adv S B Patil For R-1 &amp; R-2</u></b>	Compassionate Appointment	For filing Affidavit in Reply	29.2.2024
16	OA608/23	Beed	Adv Avinash S Deshmukh (Asha K Adode & Ors.)	Family Pension Compassionate Appointment	For Filing Affidavit in Reply	4.3.2024
17	OA694/23	Jalgaon	Adv C V Dharurkar (Rosemerry M Walvi)	Pension/ Provisional Pension	For Filing Affidavit in Reply	6.3.2024
18	OA771/23	Jalgaon	Adv AvinashS.Deshmukh (Atul U Mahajan)	Deemed Date of Promotion	For Filing Affidavit in Reply R-2 & R-3	28.2.2024
19	OA883/23	P'rbn	Adv Manish P Tripathi (Ajay B Kandere)	Compassionate Appointment Laad- Paage Samiti	For Filing Affidavit in Reply	15.3.2024
20	OA923/23	A'bad	Adv S A Deshmukh (Yunus S Tadavi)	Compassionate Appointment	For Filing Affidavit in Reply	4.3.2024
21	OA1014/23	P'rbn	Adv Masood C Syed (Ashok B Zamkade)	Old Pension Scheme	Await Service	6.3.2024

22	OA.22/24	Jalgaon	Adv Suchita Dhongde <b><u>Adv Suchita Dhongde has Filed Leave note From 01.02.2024 to 10.02.2024</u></b> (Rafiqbeg Nazir Beg Mirza)	Suspension Period Benefits & Pensionery Benefits	For Filing Affidavit in Reply	6.3.2024
23	OA.58/24	Latur	Adv S B.Solunke (Khaisar Shaikh)	Appointmen on Compassinate Ground	For Filing Affidavit in Reply	15.3.2024
<b>Order Matters</b>						
24	MA88/21 In OASt323/21	A'bad	Adv R A Joshi (Shrikant K Bhale)	M.A For Condonation of Delay	Reply Filed By R-1 to R-4 & Await Service <b><u>Ref Order Dtd. 09/01/2023</u></b>	6.3.2024
25	MA270/22 In OAST845/22	Nanded	Adv.A.V. Sakolkar (Chaus Aslam Chaus Alimuslim)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	7.3.2024
26	MA271/22 In OAST847/22	Nanded	Adv.A.V. Sakolkar (Sakharam V Pande)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	
27	MA272/22 In OAST849/22	Nanded	Adv.A.V. Sakolkar (Faruq Mehmood Qudri)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	
28	MA280/22 In OASt435/22	Nanded	Adv V G Salgare (Vedant V Joshi)	M.A For Condonation of Delay	For Filing Affidavit in Reply	11.3.2024
29	MA534/22 In OA1035/22	Dhule	Adv Vaishali Suryawanshi (Sunil M Saindane)	M.A For Stay/ I.R.	By Way of Last Chance For Filing Affidavit in Reply	15.3.2024
30	MA371/23 In OASt1179/23	A'nagar	Adv A G Ambetkar (Pradip T Kamble & Ors.)	M.A For Condonation of Delay	For Filing Affidavit in Reply R-1 to R-2	28.2.2024
31	MA470/23 In OASt1971/23	Nanded	Adv R N Bharaswadkar (Amogh S.Moharil)	M.A For Condonation of Delay	Await Service	12.3.2024
32	MA551/23 In OASt2307/23	A'bad	Adv M S Chaudhari (Seema V Chawriya)	M.A For Condonation of Delay	Await Service	15.3.2024

**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:- 06/02/2024**

Sr No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Urgent Admission Matters</b>						
1	CPSt1645/23 In OA335/20	A'bad	Adv.Preeti R Wankhade (Arjun N Pache)	Contempt Petition	<b>with Office Objection</b>	Disposed of
2	CPSt2267/23 In OA651/21	Latur Beed	Adv.S D Joshi (Dr.Shivaji D Birare)	Contempt Petition	<b>With Office Objection</b>	14.03.2024
3	TA01/24 WP15796/23	J'gaon	Adv.M K Bhosale/ Adv.D B Shinde (Bhatu R Nikumbhe)	Departmental Enquiry		01.03.2024
4	TA02/24 WP15798/23	J'gaon	Adv.M K Bhosale/ Adv.D B Shinde (Shivaji T Gadhari)	Departmental Enquiry		01.01.2024
5	MASt2469/23 In OASSt2470/23	Nanded	Adv.Santosh N Pawde/ Adv.Shardul D Deshpande (Tejaswini B Hattiambire)	M.A. For Condonation of Delay	<b>With Office Objection</b>	18.07.2024
6	MA18/24 In OASSt1199/23	Nanded	Adv.H H Padalkar (Piraji S Amberao)	M.A. For Condonation of Delay		14.03.2024
7	MASt197/24 In OASSt198/24	Latur	Adv Sandip C Swami Chakurkar (Jayshree K Rathod)	M.A For Interim Relief	<b>Circulation With Office Objection</b>	14.03.2024
8	MASt199/24 In OASSt106/24	Latur	Adv Sandip C Swami Chakurkar (Sheetal N Tigile)	M.A For Interim Relief	<b>Circulation With Office Objection</b>	Remove from board

9	OAS202/24	Beed	Adv H P Jadhav (Machindra M Mane)	Promotion	<b>Circulation With Office Objection</b>	29.02.2024
10	OA1153/22	A'nagar	Adv A S Deshmukh (Nilesh R Mhaske)	Appointment	<b>Circulation Await Service</b>	Disposed of as withdrawn
11	OA168/22	Beed (Pune)	Adv.J.J. Patil (Shirish R Yadav) <b><u>Adv.S.S. Chapalgaonkar for R.No.3</u></b>	Charge Sheet/ Departmental Enquiry	<b><u>Futher Consideration</u></b>	Disposed of
12	OA17/23	Jalna	Adv J J Patil (Sandeep S Kshire)	Eligibility Appointmnet	<b><u>Futher Consideration</u></b>	Disposed of
<b>Order Matters</b>						
13	MA456/18 In OAST1919/18	A'bad	Adv.Ajay S Deshpande (Lakshman K Nirmal) <b><u>Adv.S.R. Kedar for R.No.3</u></b>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-3	01.03.2024
14	<b>MA310/23</b> In OA702/18 With Caveat 64 to 70/18 with	A'bad	Adv.Vishwas B Wagh (Dashrath G Bhure & Ors)	<b>M.A. For Direction</b>	Await service in MA  Reply filed By R-1 in OA702/18	15.02.2024
15	OA341/19 with	Latur	Adv.S G Kawade Adv.A M Nagarkar (Komal R Rathod & Ors)	Promotion	For Hearing Reply filed By R-2	15.02.2024
16	OA589/18	Nanded	Adv. S S Patankar (Govind G Khatgaye)	Reversion	Reply filed By R-3	15.02.2024
17	MA224/19 In OA236/19	Beed	Adv.K B Jadhav (Sanjay B Udar)	M.A. For I.R.	For Hearing	01.03.2024
<b>Due Admission Matters</b>						

18	OA1029/19	Nanded	Adv.M S Chaudhari (Suraj S Bavat) <b><u>Adv.V B Wagh for R.No.4</u></b>	Absorption/ Appointment	<b><u>Part Heard</u></b> For Hearing Reply Filed by R-1 to R-3	
19	OA370/20	A'bad	Adv.Avinash S Deshmukh (Shrimant M Ture)	Modification In G.R./ Revised Pay Scale	<b><u>Part Heard</u></b> Further Consideration	15.02.2024
20	OA508/20	A'nagar	Adv.C V Dharurkar/ Adv.A S Mirajgaonkar (Bhojane S Prabhakar)	Appointment	<b><u>Part Heard</u></b> For Hearing Reply Filed by R-1	16.02.2024
21	OA797/16	A'nagar	Adv.Party in Person (Gaurav A Chavan)	Appointment	For Hearing Reply Filed by R-2 & R-5	20.02.2024
22	OA786/17	A'bad	Adv.Ajay S Deshpande (Kailash A Pardeshi)	Promotion/ Retirement Benefits	For Hearing Reply Filed by R-1	04.03.2024
23	OA28/18	P'bhani	Adv.Ganesh J Kore (Shashank B Kamble) <b><u>Adv.Mahendra Kochar for R.Nos.3 to 5</u></b>	Appointment	For Hearing Reply Filed by R-1 & R-2	06.03.2024
24	OA236/18	N'bar	Adv.M R Wagh (Krushnalal R Shirshi Gule)	M.A. For Amendment	For Hearing Reply Filed by R-2 to R-4	06.03.2024
25	OA892/18 With	A'bad	Adv.S S Thombre (Dhananjay D Chandodkar & Ors.)	Discharge From Service	For Admission Reply Filed by R-1 to R-5	21.02.2024
26	OA901/18	Beed	Adv.S S Thombre (Bhagwat S Somase)	Termination	For Admission Reply Filed by R-1 to R-3	21.02.2024
27	OA774/19	A'nagar	Adv.Arvind G Ambetkar (Chandrakant S Shinde & Ors.)	Promotion	For Hearing Reply Filed by R-1	07.03.2024
28	OA157/20	Dhule	Adv.Avinash S Deshmukh (Rohidas T Shinde)	Departmental Enquiry/ Pensionary Benefits	For Hearing Reply Filed by R-1 to R-3	23.02.2024
29	OA438/20	A'nagar	Adv.Siddheshwar M Gaikwad/ Adv.N.K. Choudhari (Anil P Chavan)	Termination	For Admission Reply Filed by R-1 to R-3	13.03.2024

30	OA538/20	N'bar	Adv.Jitendra S Gangawane (Sachin S Pardeshi)	Termination	For Hearing Reply Filed by Respondents	13.03.2024
31	OA559/20	A'bad	Adv.Abhishek C Deshpande (Vishranti B Giri)	Seniority List	For Hearing	14.03.2024
32	OA421/21	P'bhani	Adv. V G Pingle (Manohar M Bharane) <b><u>Adv. Shamsunder B Patil</u></b> <b><u>for R.No.3</u></b>	Time Bound Promotion/ A.C.P.S./ Benefits of G.R.	For Admission Reply Filed by R-3	Transferred to SB
33	OA594/21	Latur	Adv.Kalyan V Patil (Dr. meena R Jadhav)	Voluntary Retirement	For Hearing	14.03.2024
34	OA685/21	A'bad	Party In Person (Amol V Chate & Ors)	Challenging Advertisement	For Hearing Reply Filed by R-2 & R-4	15.03.2024
35	OA655/21	Jalna	Adv.U L Telgaonkar/ Adv.N U Telgaonkar (Rahul D Gaikwad)	Termination	For Hearing Reply Filed by R-1 & R-2	14.02.2024
36	TA16/22 WP9150/22	A'nagar	Adv.Ajay T Kanawade (Santosh S Chavan & Ors.)	Benefit of Promotion & Fixation of Pay	For Admission	27.03.2024
37	OA88/22	A'nagar	Adv.Ajay T Kanwade (Ravi H Kondar) <b><u>Adv.Laxmi R Thakur for</u></b> <b><u>R.No.5</u></b>	Selection/ Appointment	For Hearing Reply Filed by R-2 & R-4, R-5 One More Last Chance For Filing Affidavit in Reply For R-1 & R-3	27.03.2024
38	OA93/22	A'bad	Adv.Avinash S Deshmukh (Vidya S Sudane)	Promotion	For Hearing	29.02.2024
39	OA235/22	N'bar	Adv.Jayant B Choudhary (Dilip A Patole)	Reversion	For Hearing Reply Filed by R-1 to R-4	11.03.2024
40	OA236/22	N'bar	Adv.Jayant B Choudhary (Bhagyashri T Patil)	Reversion	For Hearing Reply Filed by R-1 to R-4	11.03.2024

41	OA265/22	N'bar	Adv.Jayant B Choudhary (Ranjana B More)	Reversion	For Hearing Reply Filed by R-1 to R-4	11.03.2024
42	OA252/22	Beed	Adv.K G Salunke (Dr. Sudhir V Bhise)	Condone the Technical Break	For Hearing Short Affidavit of Filed by Applicant	23.02.2024
43	OA533/22	A'bad	Adv.V B Wagh (Sunil N Jahagirdar)	Major Punishment	For Hearing Reply Filed by R-1 & R-2	07.03.2024
44	OA755/22	A'bad	Adv.V B Wagh (Sopan R Suryawanshi)	Departmental Enquiry	For Hearing Reply Filed by Sole Respondent	11.03.2024
45	OA919/22	Nanded	Adv.Vijay A Dhakne (Rahul R Burrewar)	Directions/ Ad-hoc Promotion/ ACPS	For Hearing Reply Filed by R-2 to R-4	14.03.2024
46	OA959/22	Latur	Adv.A.A. Nimbalkar Adv.D.P.Munde (Amol N Waghmare) <b><u>Adv.S.P. Urgunde For R.No.3</u></b>	Enquiry	For Hearing Reply Filed by R-1	15.02.2024
47	OA253/23	A'bad	Adv.Sanjay N Pagare (Rakesh S Dabhade)	Termination	For Hearing	23.02.2024
48	OA859/23	A'bad	Adv.V B Wagh/ Adv. A S Therokar/ Adv. V P Adkine (Aruna B Kharat & Ors.)	Seniority List	For Hearing Reply Filed by R-1 & R-2	14.02.2024
<b>Final Hearing Matters</b>						
49	OA759/22	O'bad	Adv.O D Mane/ Adv.A O Mane (Manisha A Rashinkar)	Departmental Enquiry	<b><u>Part Heard</u></b> Reply Filed by R-1 to R-3	13.02.2024
50	OA694/13	Hingoli	Adv.Avinash S Deshmukh (Bashir Khan Daulat Khan Patel)	Promotion	Reply Filed by R-1	23.02.2024



51	OA636/15	Dhule	Adv.S.B. Talekar (Dr.Mukaraam Ahmed Khan Gulak Gauskhan)	Promotion	Reply Filed by R-1, R-3 & R-4	23.02.2024
52	OA758/15	A'bad	Adv.S.B. Talekar (Dr.Tanuja S Kulkarni)	Regularisation	Reply Filed by R-1 to R-4	23.02.2024
53	OA482/16	J'gaon	Adv.Avinash S Deshmukh (Harshal V Patil)	Seniority	Reply Filed by R-1 & R-2	01.03.2024
54	OA587/16	Dhule	Adv.A D Gadekar (Vijaysing H Bagul)	Reversion	Reply Filed by R-1 to R-3	01.03.2024
55	OA78/17	Nanded	Adv.Talekar & Associates (Shivaji S Dahale)	Seniority/ Promotion	Reply Filed By R-2 & R-3	04.03.2024
56	OA408/17	Latur	Adv.S.P. Urgunde/ Adv.S.S. Dambe (Shivam S Kamble)	Appointment	Reply Filed by R-2 to R-5	04.03.2024
57	OA496/17	Latur	Adv.Sandip S Chakurkar (Varsharani S Chavhan)	Termination	Reply file by R-1 & R-2	04.03.2024
58	OA818/17	A'nagar	Adv.Vivek G Pingle (Ashok M Gaike)	Major Punishment	Reply Filed by R-1 to R-4	04.03.2024
59	OA834/17	Beed	Adv.S.S. Dambe (Ganesh S Kale)	Advertisement M.P.S.C./ Recruitment Rules	Reply Filed by R-1 to R-3	04.03.2024
60	OA961/17	A'bad	Adv.Suvidh S Kulkarni (Manoj J Agale)	Appointment	Short Affidavit of reply Filed by R-2 & R-4	05.03.2024
61	OA187/20	Dhule	Adv.S A Kulkarni (Basanti J Padavi)	Direction/ Declare Result	Reply Filed by R-2 & R-3 & For Filing Affidavit in Rejoinder <b>Ref Order Dtd. 23.01.2024</b>	12.03.2024
62	OA435/20	P'bhani	Adv.Vivek G Pingle (Ratikant R Sonwane)	Termination	Reply Filed by R-1 to R-3	05.03.2024

**Date: -06/02/2024**

**D.B. For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Due Admission Matters</b>						
1	TA17/22 WP5627/22	A'bad	Adv.S.B. Patil (Yadav S Sonkamble & Ors.) <b><u>Adv.Jayshree Gite</u></b> <b><u>for R.No.5</u></b>	Extention of Age	Await Service R-2 & For Filing Affidavit in Reply For R-5 & Other Respondents	07.03.2024
2	OA84/22	A'nagar	Adv.A.P. Avhad (Bapu V Vetral)	Appointment	Reply Filed by Respondents  For Filing Affidavit in Rejoinder	20.02.2024
3	OA312/22	A'bad	Adv.Vivek U Rathod/ Adv.S.S Kulkarni (Shaym V Jadhav)	Seniority/ Promotion	For Filing Affidavit in Rejoinder	14.03.2024
4	OA752/22	J'gaon	Adv.Amol B Chalak (Manisha C Panchal)	Show Casue Notice (Termination)	For Filing Affidavit in Reply For R-1	22.02.2024
5	OA755/22	A'bad	Adv.V.B. Wagh (Sopan R Suryawanshi)	Departmental Enquiry	For Filing Affidavit in Rejoinder	07.03.2024
6	OA782/22	A'nagar	Adv.Amol R Gaikwad (Bhausheeb A Shelke)	Termination	Reply Filed by R-1 & R-2 & For Filing Affidavit in Reply <b><u>Ref Order</u></b> <b><u>Dtd:-20/11/23</u></b>	23.02.2024
7	OA825/22	Jalna	Adv.Avinash R Borulkar (Pallavi V Alaspure & Ors.)	Promotion	As a last chance for Filing Affidavit in Reply <b><u>Ref.Order</u></b> <b><u>Dtd-14/06/23</u></b>	27.02.2024

8	OA840/22	Hingoli	Adv.A.R. Borulkar (Vikram V Mhaske & Ors.)	Promotion	As a Last Chance For Filing Affidavit in Reply <b><u>Ref.Order</u></b> <b><u>Dtd:-14/06/23</u></b>	27.02.2024
9	OA938/22	P'bhani	Adv.A.R. Borulkar (Chandrao U Kadam)	Directions/ Promotion	As a Last Chance For Filing Affidavit in Reply <b><u>Ref.Order</u></b> <b><u>Dtd:- 14/06/23</u></b>	27.02.2024
10	OA1132/22	Beed	Adv.A.B. Kharosekar/ Adv.V.B. Wagh (Ramesh L Naik)	Departmental Enquiry	For Filing Affidavit in Rejoinder	19.03.2024
11	OA1133/22	Beed	Adv.A.B. Kharosekar/ Adv.V.B. Wagh (Balasaheb P Rathod)	Departmental Enquiry	For Filing Affidavit in Rejoinder	19.03.2024
12	OA70/23	A'nagar	Adv Ajay S Deshpande (Vishwanath B Dabe)	Promotion	Reply Filed By R-1 & For Filing Affidavit in Rejoinder	Disposed of
13	OA82/23	Beed	Adv.M.R. Kulkarni (Anis Ayyub Shaikh)	Departmental Enquiry	For Filing Affidavit in Reply	20.03.2024
14	OA466/23	Hingoli	Adv S S Londhe (Bhaskar P Londhe)	Departmental Enquiry	For Filing Affidavit in Rejoinder	20.03.2024
15	OA777/23	A'bad	Adv.Anirudha A Nimbalkar (Dr. Nilkanth Chavan & Ors.) <b><u>Adv.M.P. Gude For</u></b> <b><u>R.No.6</u></b>	Continuation of Service	For Filing Affidavit in Reply	20.03.2024

16	OA868/23	A'bad	Adv A B Rajkar (Nirmala R Paredeshi)	Direction	For Filing Affidavit in Reply	11.03.2024
17	OA982/23	Latur	Adv S N Lale Yelwatkar (Shrihari D Mane)	Challenging G.R	For Filing Affidavit in Reply	27.03.2024
18	OA965/23	O'bad	Adv.Rahul D Khadap (Ranjit D Shingare)	Promotion	By way Of last Chance For Filing Affidavit in Reply	28.02.2024
19	OA1028/23	N'bar	Adv.Jitendra V Patil (Chetan B Mali)	Appointment	Await Service	21.03.2024
20	OA06/24	Jalana	Adv.Jiwan J.Patil (Nilesh D Gaikwad)	Promotion Seniority list	Await service	21.03.2024
21	OA10/24	Dhule	Adv.Jiwan J.Patil (Amol C Kokani)	Seniority list	Await Service	21.03.2024
22	OA32/24	Ch. Sambhaji Nagar	Adv Yuvraj R Barhate (Nagsen K Sarje & Ors.)	Selection Process	For filing Afidavit in Reply	20.02.2024
<b>Order Matters</b>						
23	MA263/22 In OAST986/22	Nanded	Adv.BG.Deshmukh (Vankat R Potdar) <b><u>Adv.VV. Ingle for R.No.4</u></b>	M.A. For Condonation of Delay	As a Last ChanceFor Filing Affidavit in Rejoinder <b><u>Ref.Order Dtd:-21/06/23</u></b>	07.03.2024
24	MA220/23 In TA01/19 WP11496/19	A'bad	Adv.S.S. Thombre/ <u>Adv.S D.Joshi</u> (Sonali S Varwate & Ors.)	M.A. For Directions	Await Service	22.02.2024
25	MA268/23 IN OAS1075/23	P'bni	Adv.Chandrakant R. Thorat (Dnyaneshwar t Sakhare& Anr.)	M.A.For Delay Condonation	Await Service	13.03.2024

**O.A. Nos. 510/2020, 587/2020, 269/2021, 444/2021, 772/2021, 377/2022, 593/2022, 732/2022, 744/2022, 815/2022, 850/2022, 929/2022, 983/2022, 1022/2022, 1111/2022, 38/2023, 117/2023, 525/2020, 611/2022, 920/2022, 80/2023, 194/2023, 257/2023, 592/2023 & 68/2021**

**(Priyadarshi S. Maske & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

S/shri K.B. Jadhav, M.S. Choudhari, S.B. Solanke, S.P. Salgar, Harish Bali, V.G. Pingle, P.V. Suryawanshi, S.D. Joshi, learned counsel for the respective applicants in respective O.As. and S/shri I.S. Thorat, B.S. Deokar, N.U. Yadav, D.R. Patil & Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respondent authorities in respective O.As., are present.

Shri V.S. Panpatte, learned counsel for the applicant in O.A. No. 510/2020, Shri V.C. Suradkar, learned counsel for the applicants in O.A. Nos. 587/2020 & 377/2022, Smt. Neha Kamble, learned counsel for the applicant in O.A. Nos. 772/2021 & 744/2022 and Shri G.K. Mane, learned counsel for the applicant in O.A. No. 117/2023, are **absent**.

2. As per the view expressed by the Hon'ble High Court of Bombay, Bench at Aurangabad in W.P. No. 3950/2023 and since the applicants in O.A. Nos. 269/2021, 732/2022, 815/2022, 929/2022, 1022/2022, 1111/2022, 38/2023, 920/2022 & 592/2023 are belonging to SC/ST/OBC category, S.O. to 15.03.2024 for hearing.

//2//

3. So far as matters, wherein the applicants are belonging to Walmiki, Mehtar and Bhangi communities, the same matters also be taken up along with the rest of the matters as above.

4. S.O. to 15.03.2023 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.02.2024

**O.A. Nos. 781/2022, 238/2023 & 58/2024**  
(Sahikh Mohd. Shahbaz Sk. Mohd. Shakil Vs. State of Maharashtra & Ors.)

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri S.B. Solanke, learned counsel for the applicants in all these O.As. and S/shri D.R. Patil, N.U. Yadav & Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officers for the respondent authorities in all these O.As., are present.

2. The matter at Sr. No. 23 of reply board i.e. O.A. No. 58/2024 in subject column it is wrongly mentioned as 'Suspension period benefits and pensionary benefits' instead of 'Appointment on compassionate ground (Lad Page)' and also name of Advocate is wrongly mentioned as 'Smt. Suchita Dhongde' instead of 'Shri S.B. Solanke'.

3. Office to correct the same.

4. Learned Presenting Officers seeks time to file affidavit in reply in all these O.As. Time granted.

5. S.O. to 15.03.2024.

**MEMBER (J)**

**M.A. No. 551/2023 in O.A. St. No. 2307/2023  
(Seema V. Chawriya Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri M.S. Choudhari, 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 submits that the service affidavit is already filed.

3. Learned Presenting Officer thus seeks time to file affidavit in reply on behalf of respondents in M.A. Time granted.

4. S.O. to 15.03.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 538 OF 2022**  
**(Narendra L. Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. It is a part heard matter. S.O. to 06.03.2024 for citations.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 446 OF 2023  
(Virbahadur K. Gurung Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits citations. Same are taken on record and copies thereof are given to learned Presenting Officer.

3. Learned Presenting Officer seeks time to go through the same and also relay upon certain case laws, if so required.

4. It is a part heard matter. S.O. to 27.02.2024 for further hearing.

**MEMBER (J)**

**MA 366/2018 in MA ST. 1591/2018 in OA ST. 1592/2018  
(Dr. Ravindra A. Daware & Ors. Vs. State of Maharashtra & Ors.)**

**WITH**

**M.A. No 295/2019 in O.A. ST. No. 993/2019  
(Vaishali S. Sanap @ Vaishali A. Nagargoje Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicants in both the cases and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in both the cases.

2. S.O. to 18.03.2024 for hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.02.2024

**ORIGINAL APPLICATION NO. 576 OF 2021  
(Atmaram M. Raut Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 18.03.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1058 OF 2022**  
**(Balasaheb N. Sonawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. At the request of learned counsel for the applicant, S.O. to 07.02.2024 for hearing.

**MEMBER (J)**

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

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri A.N. Barhate Patil, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 04.03.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 255 OF 2019  
(Subhash D. Thale Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri P.B. Salunke, learned counsel holding for Shri V.G. Salgare, 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 07.02.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 405 OF 2019  
(Shishupal S. Raut Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri P.B. Salunke, learned counsel holding for Shri V.G. Salgare, 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 07.02.2024 for final hearing.

**MEMBER (J)**

KPB ORAL ORDER 06.02.2024



**ORIGINAL APPLICATION NO. 1070 OF 2019  
(Suryabhan B. Nagre Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri P.B. Salunke, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present. Shri U.S. Mote, learned counsel for respondent No. 3, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 07.02.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 402 OF 2022**  
**(Maroti C. Panchal Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri K.G. Salunke, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 04.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 270 OF 2021  
(Nanda V. Solanki & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel 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 04.03.2024 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 923 OF 2023**  
**(Yunus S. Tadavi Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri S.A. Deshmukh, learned counsel for the applicant, is **absent**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No.4 along with spare copy for the applicant and on instructions submits that the respondent Nos. 1 to 3 are adopting the affidavit in reply filed by respondent No.4. The copy of reply is taken on record.

3. List the matter for filing affidavit in rejoinder/ for hearing on 04.03.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 22 OF 2024**  
**(Rafiqbeg Nazir Beg Mirza Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned counsel for the applicant has filed a **leave note**. Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 1 to 4 along with spare copy for the applicant. The same is taken on record.

3. List the matter for filing affidavit in rejoinder/ for hearing on 06.03.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 103 OF 2024**  
**(Pratibha Pandurang Gore Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. Even though in the impugned order of transfer the reference No.3 is the directions issued by the Election Commission of India on account of ensuing Parliamentary Election, the learned counsel for the applicant has fairly accepted that the applicant while working as Tahsildar in Beed District she was subjected to departmental enquiry along with 18 Returning Officers and Assistant Returning Officers (SDO and Tahsildar) working during the general elections of the Legislative Assembly 2019 in the Beed District.

3. Learned counsel for the applicant further submits that the applicant thereafter came to be transferred to the post of Tahsildar Palam, Dist. Parbhani and by order dated 12.06.2023 the applicant came to be transferred as Tahsildar Partur, Dist. Jalna from the post of Tahsildar Palam,

//2// O.A. 103/2024

Dist. Parbhani. Learned counsel for the applicant submits that further by impugned transfer order dated 31.01.2024 the applicant came to be transferred from the post of Tahsildar Partur, Dist. Jalna to Tahsildar (Revenue), Parbhani on the vacant post.

4. Learned counsel for the applicant submits that the home district of the applicant is not Jalna district and so far as the departmental enquiry initiated against him along with others that is in respect of Assembly Election in the year 2019. Learned counsel for the applicant submits that in any case the directions issued by the Election Commission of India in this regard are not applicable to the case of the applicant. Learned counsel for the applicant has further pointed out that the applicant has not yet been officially relieved.

5. On careful perusal of the directions given by Election Commission of India and on perusal of the impugned order it appears that the transfer of the applicant is before completion of her normal tenure and it is mid-term transfer order. I find much substance in the submissions made on behalf of the

//3// O.A. 103/2024

applicant. Even considering the transfer of the applicant within short span, the directions issued by Election Commission of India are not applicable to her. Thus considering the entire facts of the application, I am inclined to stay the execution and implementation of impugned order of transfer. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 27.02.2024. **Till then interim relief in terms of prayer clause 'D' is granted in favour of the applicant, which reads as under:-**

**“(D) Pending hearing and final disposal of the present original application grant stay to the impugned order of transfer dated 31/01/2024 (Annexure 'D').”**

(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



//4// O.A. 103/2024

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) The learned P.O. appears for all the respondents and seeks time for taking instructions.

(vii) S.O. to 27.02.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 104 OF 2024**  
**(Vishnu S. Darade Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri Gajanan Kadam, 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 07.02.2024.

**MEMBER (J)**

ORAL ORDER 06.02.2024 sas

**ORIGINAL APPLICATION NO. 107 OF 2024**  
**(Ashwamedh Balasaheb Jagtap Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri Mohit R. Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 13.02.2024.

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.

//2// O.A. 107/2024

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. The learned P.O. appears for all the respondents and seeks time for taking instructions.

8. **The issue of interim relief is kept open.**

9. S.O. to 13.02.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 2076 OF 2023  
(Shaikh Iqbal Shaikh Jamil Vs. State of Maharashtra &  
Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri Amol S. Gandhi, learned counsel for the applicant, is **absent**. Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant, S.O. to 21.03.2024.

**MEMBER (J)**

ORAL ORDER 06.02.2024 sas

**ORIGINAL APPLICATION NO. 102 OF 2024  
(Shirish R. Yadav Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri J.J. Patil, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant is working as a Deputy District Election Officer, Collector Office Osmanabad. By order dated 12.06.2023 the applicant came to be transferred from Beed Collector Office to Osmanabad Collector Office. However, within the period of six months by order dated 31.01.2024 in terms of the directions issued by the Election Commission of India due to ensuing Parliamentary Election in the Nation, the applicant came to be transferred from Osmanabad Collector Office to Nanded Collector Office.

3. Learned counsel for the applicant further submits that in terms of the directions given by the Election Commission of India (Annexure -'B'), the officers connected directly with elections (i) if she/he

//2// O.A. 102/2024

is posted in her/his home district, (ii) if she/he has completed three years in that district during last four (4) years or would be completing 3 years on or before 30<sup>th</sup> June, 2024, are liable to be transferred.

4. Learned counsel for the applicant has pointed out that neither the Osmanabad District is home District of the applicant nor the applicant has completed his normal tenure in Osmanabad District. The home district of the applicant is Pune. Learned counsel for the applicant submits that meanwhile after this transfer order even the Collector Osmanabad has communicated to the Government that the post of Deputy Collector is vacant and that needs to be filled up immediately.

5. The District Osmanabad is not the home district of the applicant and since he came to be transferred from Osmanabad within the period of six months, it is mid-term and mid-tenure transfer as pointed out by learned counsel for the applicant.

6. Learned counsel for the applicant further submits that by order dated 23.01.2024, the respondent No.3 who is also Deputy Collector has been transferred from Nanded to Osmanabad in

//3// O.A. 102/2024

place of the applicant. However, the applicant has not yet been relieved from the Collector Office, Osmanabad.

7. In view of above submissions and on careful perusal of the directions given by the Election Commission of India, I find much substance in the submissions made on behalf of the applicant. In view of same, I am inclined to stay the execution and implementation of impugned order of transfer. Hence, the following order:-

**ORDER**

(i) Issue notice to respondents, returnable on 27.02.2024. **Till then interim relief in terms of prayer clause 'E' is granted in favour of the applicant, which reads as under:-**

**“ (E) Pending hearing and final disposal of the present original application grant stay to the impugned order of transfer dated 23/01/2024 and 31/01/2024 (Annexure 'D').”**

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



//4// O.A. 102/2024

(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) The learned P.O. appears for all the respondents and seeks time for taking instructions.

(vii) S.O. to 27.02.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 350 OF 2022**  
**(Pralhad C. Shelke Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. The present matter is reserved for order.

**MEMBER (J)**

ORAL ORDER 06.02.2024 sas

**ORIGINAL APPLICATION NO. 19 OF 2023**  
**(Dr. Ajit P. Thorbole Vs. State of Maharashtra & Ors.)**  
**WITH**  
**ORIGINAL APPLICATION NO. 20 OF 2023**  
**(Nanasaheb S. Agale Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicants in both the O.As. and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in both the O.As., are present.

2. At the request of learned counsel for the applicants, S.O. to 06.03.2024 for hearing.

3. The interim relief granted earlier to continue till then.

**MEMBER (J)**

**M.A.NO. 18/2024 IN O.A.ST.NO. 1199/2023**  
**(Piraji Shivram Amberao Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri H.H. Padalkar, learned counsel for the applicant (**absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 14.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 06.02.2024-HDD

**ORIGINAL APPLICATION ST.NO. 202 OF 2024**  
**(Machindra Maruti Mane Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. The office has raised objection that the present O.A. may not be maintainable since the earlier O.A. No. 583/2023 was filed seeking same relief as has been claimed in the present O.A. and the same has been withdrawn by the applicant without any liberty.

3. We have gone through the record of the earlier matter, as well as, prayers made therein. The prayer in the said O.A. was different than the prayer made in the present O.A. In the circumstances, the office objection cannot be sustained.

4. It is the case of the applicant that though he was entitled to be promoted to the post of Peon from the post of Kotwal, since there was no process started for such promotion and he crossed the age of

45 years on 4<sup>th</sup> August, 2023, he is deprived of getting the said promotion. Learned counsel appearing for the applicant submits that as per the Government Resolution dated 17.12.2021 the applicant may get the relaxation of 02 years and can be considered for promotion, if he is otherwise found eligible. In the circumstances, by way of interim relief the applicant is seeking direction against the respondents to stay the entire process of promotion to the post of Peon till decision of the present O.A. In the alternative it has been prayed that the respondents be directed to keep one post unfilled of the Peon, so that if the applicant succeeds he can be appointed on the said post. We are not inclined to stay the entire process of promotion. In the circumstances, only protection which can be granted to the applicant is that, in the meanwhile if the promotions are effected on the post of Peon those promotions shall be subject to outcome of the present litigation. Hence, the following order: -

**ORDER**

- (i) Issue notices to the respondents, returnable on 29.02.2024. **It is made clear that in the meanwhile if the promotions are**

**effected on the post of Peon those promotions shall be subject to outcome of the present litigation.**

(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 29.02.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 1153 OF 2022**  
**(Nilesh Raosaheb Mhaske Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. On instructions, learned counsel appearing for the applicant seeks leave of this Tribunal to withdraw the present Original Application since the purpose of filing the O.A. has been served. Hence, the following order: -

**ORDER**

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

**MEMBER (A)**

**VICE CHAIRMAN**



**C.P.ST.NO. 2267/2023 IN O.A.NO. 651/2021**  
**(Dr. Shivaji D. Birare Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. Learned counsel for the applicant seeks leave of this Tribunal to delete name of respondent No. 3 from the array of the respondents. Leave granted as prayed for. The necessary amendment be carried out forthwith.

2. Issue simple notices to respondent Nos. 1, 2 & 4, returnable on 14.03.2024.

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

**:: - 2 - :: C.P.ST.NO. 2267/2023 IN  
O.A.NO. 651/2021**

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

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

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

7. S.O. to 14.03.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 82 OF 2023**  
**(Anis Ayyub Shaikh Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri M.R. Kulkarni, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted by way of last chance till 20.03.2023. It is made clear that, if affidavit in reply is not filed on or before the next date, the matter will be heard without reply.

3. S.O. to 20.03.2023.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 187 OF 2020**  
**(Basanti Jhemsing Padavi Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Smt. R.L. Jakhade, learned counsel holding for Shri S.A. Kulkarni, 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 has tendered across the bar rejoinder to the affidavit in reply submitted by the respondent and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 12.03.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 253 OF 2023**  
**(Rakesh Sunil Dabhade Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri Sanjay N. Pagare, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks leave to file on record the affidavit in reply on behalf of the respondents. Learned counsel for the applicant has not opposed for taking the reply on record. Hence, the affidavit in reply is taken on record and copy of the same has been served on the learned counsel for the applicant.

3. List the matter for hearing on 23.02.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 32 OF 2024**  
**(Nagsen K. Sarje & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri V.R. Barhate, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks two weeks' time to file affidavit in reply. Time granted as prayed for.

3. S.O. to 20.02.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 755 OF 2022**  
**(Sopan Ramrao Suryawanshi Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, S.O. to 11.03.2024. The interim relief granted earlier to continue till then.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 421 OF 2021**  
**(Manohar Mahadu Bharane Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

Shri Shamsunder B. Patil, learned counsel for respondent No. 3 (**absent**).

2. Learned counsel submits that the present matter, which is in respect of time bound promotion, would lie before the learned Single Bench. The registry to transfer the present matter and list the same before the Single Bench, in consultation with the learned Single Bench.

**MEMBER (A)**

**VICE CHAIRMAN**



**C.P.ST.NO. 1645/2023 IN O.A.NO. 335/2020**  
**(Arjun Nivrutti Pache Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. Learned counsel appearing for the applicant seeks leave of this Tribunal to delete prayer clause 'B'. Leave granted as prayed for. The necessary amendment be carried out forthwith.

3. The order passed by this Tribunal on 26.08.2022 in O.A. No. 335/2020 has been modified by the Hon'ble Division Bench of the Bombay High Court Bench at Aurangabad in W.P. No. 11801/2023 decided on 10.10.2023.

4. In view of the order of the Hon'ble Bombay High Court, the present contempt petition stands disposed of. No order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDERS 06.02.2024-HDD

**Date : 06.02.2024**  
**ORIGINAL APPLICATION NO. 110 OF 2024**  
**(Pravin Chandrakant Kasture V/s State of**  
**Maharashtra & Ors.)**

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

1. Shri Ashish B. Rajkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 07.03.2024. The case be listed for admission hearing on **07.03.2024**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**I/C REGISTRAR**

**Date : 06.02.2024**

**M.A.NO. 39/2024 IN O.A.ST.NO. 221/2024**

**(Ravindra Venkatrao Pathak V/s State of Maharashtra  
& Ors.)**

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

1. Shri Vivek G. Pingle, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents in M.A. No. 39/2024, returnable on 06.03.2024. The case be listed for admission hearing on **06.03.2024**.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**I/C REGISTRAR**

**Date : 06.02.2024**  
**ORIGINAL APPLICATION NO. 111 OF 2024**  
**(Mukta Sudhakar Bhurkapalle V/s State of**  
**Maharashtra & Ors.)**

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

1. Shri Ashish B. Rajkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 07.03.2024. The case be listed for admission hearing on **07.03.2024**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**I/C REGISTRAR**

**T.A.NO.01/2024 IN W.P.NO.15796/2023**  
(Bhatu R. Nikumbhe Vs. State of Maharashtra & Ors.)

**T.A.NO.02/2024 IN W.P.NO.15798/2023**  
(Shivaji T. Gadhari Vs. State of Maharashtra & Ors.)

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

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri M.K.Bhosale, learned Counsel for the applicants, Shri V.R.Bhumkar and Smt. Deepali Deshpande learned Presenting Officer for the respondent authorities.

2. Since in both these matters facts are identical and issues raised are also similar, we have heard both these matters together.

3. It is the grievance of the applicants that the departmental enquiry has been initiated and chargesheet has been issued against them after their retirement for the misconduct allegedly committed prior to about 15 years of their retirement. Learned Counsel for the applicants submitted that memorandum and the statement of charge annexed with the said memorandum are apparently contrary to the provisions of law.

Learned Counsel submitted that the respondents are now making haste to proceed with the enquiry and also appointed the Enquiry Officer/s in both the matters. Learned Counsel in the circumstances, prayed for staying the further enquiry proceedings till decision of the O.As.

4. Shri Bhumkar, learned P.O. submitted that misconduct alleged against the applicant was revealed in the year 2022 when the Commissioner, Co-operative Societies and Registrar, Co-operative Societies, Maharashtra State directed the Test Audits of some of the Co-operative Institutions in the Jalgaon District. In that Test Audits, the misconduct committed by the applicants became known to the respondents and immediately thereafter, the departmental enquiry proceedings are initiated against the applicants.

5. Learned P.O. submitted that he has not yet received full instructions in the matter. Learned P.O. further submitted that the enquiry proceedings may not be arrested and respondents will file the affidavit in reply within the time which may be stipulated by the Tribunal. On that ground, he has

prayed for rejecting the requests of the applicants for interim relief.

6. We have gone through the pleadings and documents placed on record. Departmental enquiry initiated against the applicants, *prima facie*, appears to be contrary to the provisions of law. Admittedly, the applicants have retired in the year 2021 and departmental enquiry proceedings are initiated after their retirement for the misconduct allegedly committed by the applicants in the year 2006-2007, which is contrary to the provisions of law. Moreover, the respondents whether could have initiated enquiry by invoking Rule 8 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 is also an issue which is debatable in the present matter.

7. Having considered the facts as aforesaid, we are inclined to pass the following order:

ORDER

[i] Issue notice to respondents, returnable on 01-03-2024. **Till then, the respondents are restrained from proceeding with the enquiries initiated against the applicants in the present O.As.**

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T.A.NO.01/2024 & 02/2024

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

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

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

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

[vi] S.O. to 01-03-2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

YUK ORAL ORDER 06.02.2024



**M.A.NO.310/2023 IN O.A.NO.702/2018**  
(Dashrath G. Bhure & Ors. Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO.341/2019**  
(Komal R. Rathod & Ors. Vs. State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO.589/2018**  
(Govind G. Khatgaye Vs. State of Maharashtra & Ors.)

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri V.B.Wagh, learned Counsel for applicants in M.A.310/2023 IN O.A.702/2018, Shri A.M.Nagarkar, learned Counsel for applicants in O.A.341/2019 and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities in all the cases.

Shri S.S.Patankar, learned Counsel for applicant in O.A.589/2018 is **absent**.

2. Arguments are concluded. Matter is kept for further consideration on 15-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

**M.A.ST.NO.2469/2023 IN O.A.ST.NO.2470/2023**  
**(Tejaswini Hattiambire Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri M.K.Bhosale, learned Counsel holding for Shri Santosh N. Pawde, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to the respondents in M.A. for delay condonation, returnable on 18-03-2024.

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

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

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

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

7. S.O. to 18-03-2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST.NO.198/2024**  
**(Jayshree K. Rathod Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri Sandip C. Swami-Chakurkar, learned Counsel for the applicant and Shri M.P.Gude learned Presenting Officer for the respondent authorities, are present.

2. Issue notice to respondents, returnable on 14-03-2024.

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

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

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

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

7. S.O. to 14-03-2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

YUK ORAL ORDER 06.02.2024

**M.A.ST.NO.199/2024 IN O.A.ST.NO.106/2024**  
(Sheetal N. Tigile Vs. State of Maharashtra & Ors.)

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

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri Sandip C. Swami-Chakurkar, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Remove from board.

**MEMBER (A)**

YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.1029/2019**  
**(Suraj S. Bavat Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri M.S.Chaudhari, learned Counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.B.Wagh, learned Counsel for respondent no.4.

2. Arguments are concluded. Reserved for order.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.370/2020**  
**(Shrimant M. Ture Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. Part Heard. S.O. to 15-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.508/2020**  
**(Bhojane S. Prabhakar Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri C.V.Dharurkar, learned Counsel for the applicant and Shri M.P.Gude learned Presenting Officer for the respondent authorities.

2. Learned PO has tendered a communication received from Medical Education and Research, Mumbai praying for 4 weeks' time for placing on record relevant documents. The matter is part heard and it does not appear to us that so much time is required for placing on record the documents in question. In the interest of justice time is granted till 16-02-2024.

3. S.O. to 16-02-2024.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.759/2022**  
(Manisha A Rashinkar Vs. State of Maharashtra & Ors.)

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri O.D.Mane, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 13-02-2024 for further consideration and passing order.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO.797/2016**  
**(Gaurav A. Chavan Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri Gaurav A. Chavan – applicant party  
in person and Shri V.R.Bhumkar learned Presenting  
Officer for the respondent authorities.

2. S.O. to 20-02-2024 for further consideration  
and passing order.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.919/2022**  
**(Rahul R. Burrewar Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri Vijay A. Dhakane, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Counsel for the applicant has tendered rejoinder affidavit. Same is taken on record. Copy is given to the learned P.O.
3. List the matter for hearing on 14-03-2024.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.959/2022**  
**(Amol N. Waghmare Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri A.A.Nimbalkar, learned Counsel for the applicant, Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

Shri S.P.Urgunde, learned Counsel for respondent no.3 is **absent**.

2. S.O. to 15-02-2024 for further consideration.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

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

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. S.O. to 23-02-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

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

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Shri Ashish Hazari, learned Counsel holding for Shri A.B.Chalak, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23-02-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.892/2018**  
(Dhananjay Chandodkar & Ors. Vs. State of Maharashtra & Ors.)  
**WITH**  
**ORIGINAL APPLICATION NO.901/2018**  
(Bhagwat Somase Vs. State of Maharashtra & Ors.)

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

**DATE : 06.02.2024**

**ORAL ORDER :**

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

2. S.O. to 21-02-2024. Interim relief granted earlier to continue till then.

**MEMBER (A)**  
YUK ORAL ORDER 06.02.2024

**VICE CHAIRMAN**

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

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

**DATE : 06.02.2024**

**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. Leave to correct the prayer clause to the extent of date and annexure.

3. Learned Presenting Officer submits Annexures, which were not submitted along with the affidavit in reply inadvertently. Same are taken on record and copies thereof are given to other side.

4. Heard finally with the consent of both the parties at the admission stage itself.

5. By this Original Application, the applicant is seeking direction against the respondents and more particularly against the respondent No. 1 to sanction the proposal for special disability leave for accidental injury sustained by the applicant in terms of the proposal submitted to it by respondent No. 2 recommending therein grant of special disability leave to the applicant for the period of 404 days.

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O.A. No. 613/2021

6. In the facts of the present case, the applicant joined the Police Force as Police Constable on 27.11.1976 and promoted eventually in the year 2002 as Jamadar (Police Head Constable) and on 13.03.2013, promoted to the post of Assistant Police Sub-Inspector. The applicant came to be retired from service by attaining the age of superannuation on 30.06.2015.

7. It is further case of the applicant that in the year 2008, when he was assigned with the duty of collecting information regarding criminal and illegal activities of the criminals, on 13.10.2008 when the applicant was returning from his duty on his motorcycle, he met with an accident and suffered permanent disability to the extent of 44%. The applicant has lodged a complaint in respect of the said incident and crime No. 184/2008 came to be registered in the concerned Police Station about it. Even the Sub-District Hospital, Parbhani has issued the certificate in favour of the applicant about the permanent disability suffered by the applicant to the extent of 44%.



//3//

O.A. No. 613/2021

8. It is further case of the applicant that though he has applied for special disability leave for the period of 16.10.2011 to 11.03.2013, leave of 89 days was sanctioned as Earned Leave, leave of 20 days was sanctioned as Commuted Leave and the period of 404 days was sanctioned as Special Leave. Though the applicant has applied for the special disability leave for the above mentioned period and even though the special disability leave for the period of 120 days was sanctioned by the respondent No. 3, the said order of sanction of special disability leave was withdrawn by respondent No. 3 by order dated 17.05.2016 solely on the ground that the authority to sanction the special disability leave is only with the respondent No. 1 for a period beyond one year.

9. It is further admitted position that thereafter satisfying the queries made by the Desk Officer, Mantralaya, the respondent No. 3 through respondent No. 2 submitted information / exhaustive proposal in this regard with the positive recommendation to respondent No. 1 on 03.01.2018 (Annexure A-6).

//4//

O.A. No. 613/2021

10. Learned Presenting Officer on instructions submits that the said proposal is still pending with the respondent No. 1.

11. It is not in dispute that the respondent No. 1 is the authority to decide the special disability leave exceeding the period of one year. In view of the same, the present Original Application can be disposed of by directing the respondent No. 1 to decide the information / proposal forwarded to it with the positive recommendation by respondent No. 3 through respondent No. 2 on 03.01.2018 (Annexure A-6) on its own merits as expeditiously as possible. Hence, the following order :-

**ORDER**

- (i) The Original Application No. 613/2021 is hereby partly allowed.
- (ii) The respondent No. 1 is hereby directed to decide the information / proposal forwarded to it by respondent No. 3 through respondent No. 2 on 03.01.2018 (Annexure A-6) on its own merits as expeditiously as possible preferably

//5//

O.A. No. 613/2021

within a period of three months from the date of this order.

- (iii) In the circumstances, there shall be no order as to costs.
- (iv) Original Application accordingly disposed of.

**MEMBER (J)**

KPB ORAL ORDER 06.02.2024

**M.A.ST.NO. 197/2024 IN O.A.ST.NO. 198/2024**  
**(Jayshree K. Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 06.02.2024**

**ORAL ORDER :**

Heard Shri SANDIP C. Swami Chakurkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant does not wish to press the present Misc. Application. Hence, the following order: -

**ORDER**

The Misc. Application stands disposed of as not pressed by the applicant. No order as to costs.

**MEMBER (A)**

**VICE CHAIRMAN**