

ORIGINAL APPLICATION NO. 973 OF 2018
(Rajaram Z. Mohite Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 and 2. Smt. Suvarna Zaware, learned Advocate for respondent No. 3, **absent.**

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

3. S.O. to 14.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 43 OF 2020
(Baliram M. Malhare Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri G.N. Kulkarni, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. Record shows that affidavit in reply is filed only on behalf of respondent No. 4.

4. At the request of learned Advocate for the applicant, S.O. to 16.02.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

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

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent No. 1 and Shri A.D. Gadekar, learned Advocate for respondent No. 2.

2. On the request made on behalf of the respondents, time is granted for filing affidavit in reply.

3. S.O. to 15.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 388 OF 2020
(Rajendra V. Marale Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted as a last chance for filing affidavit in reply.
3. S.O. to 11.02.2022.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

ORIGINAL APPLICATION NO. 322 OF 2021
(Kantilal K. Naglod Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 4. Same is taken on record and copy thereof has been served on the other side.
3. S.O. to 21.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 359 OF 2021
(Hajralee @ Nurbee Shaikh Nijam Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri Swapnil Mule, learned Advocate holding for Shri R.V. Gore, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1, 5 & 6 and Shri D.T. Devane, learned Advocate for respondent Nos. 2 to 4.

2. Learned Advocate Shri Abed M. Pathan, has filed **VAKALATNAMA** on behalf of respondent No. 7. Same is taken on record.

3. Learned Advocate for respondent Nos. 2 to 4 filed affidavit in reply on behalf of respondent No. 4. Same is taken on record and copy thereof has been served on the other side.

4. Record shows that affidavit in reply is already filed on behalf of respondent No. 5.

5. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 and 6 and learned Advocate for respondent No. 7 also seeks time for filing affidavit in reply. Time granted.

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O.A. No. 359/2021

6. Learned Advocate for respondent No. 7 submits that the respondent No. 7 has not received the copy of the Original Application.
7. Learned Advocate for the applicant is directed to supply copy of the O.A. to the learned Advocate for respondent No. 7.
8. S.O. to 18.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 465 OF 2021
(Azad Khadarsaheb Patel Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Shri B.S. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 and 2 and Shri V.B. Wagh, learned Advocate for respondent Nos. 3 to 8.

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

3. Learned Advocate for respondent Nos. 3 to 8 submits that he adopts the said affidavit in reply filed by the respondent Nos. 1 and 2.

4. S.O. to 18.02.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 625 OF 2021
(Yogesh J. Korade Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 11.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 645 OF 2021
(Ulhas D. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Shri S.T. Chalikwar, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 16.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 646 OF 2021
(Ashok G. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 16.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 710 OF 2021
(Shivshakti M. Kendre Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri Pankaj Bharat, learned Advocate holding for Shri U.L. Momale, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 17.02.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 721 OF 2021
(Ashok B. Pagare Vs. State of Maharashtra & Ors.)**

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

DATE : 06.01.2022

ORAL ORDER :

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

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to benefit of ACPS.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 17.02.2022.

MEMBER (J)

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

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, time is granted for filing affidavit in reply.
3. S.O. to 17.02.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 761 OF 2021
(Pradeep B. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 and 2 and Shri N.N. Desale, learned Advocate for respondent No. 3.

2. S.O. to 07.01.2022 for passing order on the point of interim relief.

MEMBER (J)

ORIGINAL APPLICATION NO. 762 OF 2021
(Babu M. Dudhare & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

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

3. S.O. to 18.02.2022.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

**ORIGINAL APPLICATION NO. 766 OF 2021
(Narendra R. Joshi Vs. State of Maharashtra & Ors.)**

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, issue fresh notice to the respondent No. 2, returnable on 21.02.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 21.02.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

M.A. No. 22/2020 in O.A. St. No. 2431/2019
(Bhanudas A. Kalhpaure & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri Ganesh Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to benefit of ACPS.

4. In view of the same, the present matter be placed before the Division Bench for further hearing.

5. S.O. to 14.02.2022.

MEMBER (J)

**M.A. No. 210/2021 in O.A. St. No. 716/2021
(Akash T. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 06.01.2022

ORAL ORDER :

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 3 to 5. Same is taken on record and copy thereof has been served on the other side.

3. By this Misc. Application, the applicant is seeking condonation of delay of about 290 days caused for filing the accompanying Original Application.

4. The accompanying Original Application is filed challenging the order dated 19.09.2019 (Annexure A-1 collectively of O.A.) issued by the respondent No. 1 rejecting the claim of the applicant for appointment on compassionate ground.

5. It is contended that the cause of action for filing the Original Application arose during prevailing of Covid-19 pandemic situation.

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M.A. 210/2021 in
O.A. St. No. 716/2021

6. The respondents apposed the present Misc. Application by filing affidavit in reply and contended that no sufficient cause has been shown by the applicant in the present Misc. Application and therefore, they have prayed to dismiss the same.

7. Learned Advocate for the applicant placed on record a copy of order of the Hon'ble Apex Court dated 23.09.2021 in the matter of In Re-Cognizance for Extension of Limitation. In view of dictum of the Hon'ble Supreme Court, the limitation period for any suit, appeal, application or proceeding is excluded from 15.03.2020 till 02.10.2021.

8. In the present case, the cause of action arose on or about 18.09.2020. It is a settled principle of law that the expression "sufficient cause" is to be construed liberally. In these circumstances, this is a fit case to condone the delay. I therefore, proceed to pass following order :-

ORDER

1. The M.A. No. 210/2021 is allowed.

//3// M.A. 210/2021 in
O.A. 716/2021

2. The delay of 290 days caused in filing the accompanying Original Application is hereby condoned.
3. Accordingly, the M.A. stands disposed of. The Registry is directed to register and number the accompanying O.A. in accordance with law by taking into account other office objection/s, if any.
4. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 716 OF 2021
(Akash T. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 14.02.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 14.02.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 835 OF 2021
(Vadilal P. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 21.02.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 21.02.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 08 OF 2020
(Arvind M. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri G.N. Kulkarni, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is already filed on behalf of respondent No. 1.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 2 to 4.

3. S.O. to 16.02.2022.

MEMBER (J)

M.A. No. 427/2021 in O.A. St. No. 1816/2021
(Gajanan B. Dange & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Issue notices to the respondents in M.A., returnable on 21.02.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 21.02.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 776 OF 2021
(Rajnikant R. Durge @ Rajnikant E. Mortate Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri J.M. Murkute, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to take steps for filing application for condonation of delay. Time granted.

3. S.O. to 15.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 895 OF 2018
(Murlidhar E. Sakhare and Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri Pratik Pangal, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 and 3 and Shri A.D. Gadekar, learned Advocate for respondent Nos. 2 & 4.

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to time bound promotion.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 16.02.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 670 OF 2019
(Kaushalya B. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matter is pertaining to time bound promotion.

3. In view of the same, the present matter be placed before the Division Bench for further hearing.

4. S.O. to 21.02.2022.

MEMBER (J)

**O.A. No. 678 OF 2019 with Caveat 56 to 60/19
(Dr. Girish G. Baradkar Vs. State of Maharashtra & Ors.)**

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

DATE : 06.01.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 and 2. Shri R.K. Ingole, learned Advocate for respondent Nos. 3 & 4, **absent**. None present on behalf of respondent No. 5.

2. Learned Presenting Officer placed on record a copy of communication dated 21.12.2021 along with accompanying documents. Same are taken on record and marked as document 'X collectively' for the purpose of identification.

3. As none present for the applicant, S.O. to 14.01.2022.

MEMBER (J)

O.A. No. 679 OF 2019 with Caveat 56 to 60/19
(Dr. Buchanna B. Buchalwar Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 and 2. Shri R.K. Ingole, learned Advocate for respondent Nos. 3 & 4, **absent**. None present on behalf of respondent No. 5.

2. As none present for the applicant, S.O. to 14.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 903 OF 2019
(Dr. Vithal R. Mekane Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Shri A.D. Kawre, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Throat, learned Presenting Officer for the respondent Nos. 1 to 3. Shri A.B. Shinde, learned Advocate for respondent No. 4, **absent**.

2. Record shows that the affidavit in reply is filed jointly on behalf of respondent Nos. 1 to 3 and separately on behalf of respondent No. 4.

3. S.O. to 21.02.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 551 OF 2020
(Kiran S. Pathare Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 02.02.2022.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

ORIGINAL APPLICATION NO. 317 OF 2021
(Vishwambhar V. Tidke Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. Record shows that the affidavit in reply is filed on behalf of respondent Nos. 1 to 4.
3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.
4. The present matter is pertaining to correction in date of birth. Hence, the O.A. is admitted and it be kept for final hearing on 23.02.2022.

MEMBER (J)

**M.A. No. 413/2019 in O.A. St. No. 1414/2019
(Gorakh M. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri G.L. Awale, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The present matter is closed for orders.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

**M.A. No. 06/2021 in O.A. St. No. 1419/2020
(Vijay R. Bangar Vs. State of Maharashtra & Ors.)**

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

DATE : 06.01.2022

ORAL ORDER :

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

2. The present matter is closed for orders.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

M.A. No. 07/2021 in O.A. St. No. 1416/2020
(Chandrasen V. Lahade Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 5 and Shri S.L. Bhapkar, learned Advocate for respondent No. 6.

2. Learned Advocate for respondent No. 6 submits that at the relevant time, the respondent No. 6 was working as a Clerk and he is not concerned with the dispute raised in the present proceedings.

3. Record shows that the applicant is challenging the impugned order dated 28.09.2018 (Annexure A-7) issued by the respondent No. 3 i.e. the Joint Director, Technical Education, Aurangabad, whereby the recovery of Rs. 8,00,000/- is issued. Record further shows that no relief is sought against the respondent No. 6, who was working as a Clerk in the Government Residential Women Polytechnic, Barshi Road, Latur, where the applicant at the relevant time was working as in-charge Principal and some allegations are made regarding functioning of respondent No. 6. Respondent No. 6 was not the decision making authority.

//2// M.A. 07/2021 in
O.A. St. 1416/2020

4. Learned Advocate for the applicant seeks permission to delete the name of respondent No. 6.
5. Permission granted. The applicant shall delete the name of respondent No. 6 in M.A., as well as, in O.A. forthwith.
6. S.O. to 14.02.2022.

MEMBER (J)

M.A. No. 08/2022 in O.A. No. 557/2021
(Dr. Vyankatesh N. Ainlod Vs. Dr. Sanjay K. Kasralikar & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant in the present M.A. / respondent No. 5 in O.A., Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 2 to 4 and Ms. Poonam Bodke Patil, learned Advocate for respondent No. 1/ applicant in O.A. Shri A.B. Shinde, learned Advocate for respondent No. 5 in the present M.A./ respondent NO. 4 in O.A., **absent**.

2. Issue notices to the respondents in M.A., returnable on 27.01.2022.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that

//2//

O.A. No. 08/2022 in
O.A. No. 557/2021

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 27.01.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 932 OF 2017
(Walmik L. Kande Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 21.02.2022.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

ORIGINAL APPLICATION NO. 451 OF 2019
(Suryakant R. Biradar Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 18.01.2022.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

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

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request and by consent of both the sides, S.O. to 13.01.2022.
3. The present is to be treated as part heard.

MEMBER (J)

ORIGINAL APPLICATION NO. 844 OF 2019
(Raviraj R. Darak Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, S.O. to 09.02.2022.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

ORIGINAL APPLICATION NO. 712 OF 2018
(Sandipan A. Gavali Vs. State of Maharashtra & Ors.)

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

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request and by consent of both the sides, S.O. to 21.02.2022.

MEMBER (J)

KPB ORAL ORDERS 06.01.2022

**O.A. Nos. 583/2019, 602/2019, 619/2019 & 620/2019
(Bhaskar D. Baviskar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 06.01.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in all these O.As. and Shri I.S. Thorat, learned Presenting Officer for the respondents in all these O.As.

2. Learned Advocate for the applicants submits that the applicant in O.A. No. 619/2019 viz. Arjun R. Pawar, expired during pendency of the Original Application.
3. The present matters are already part heard.
4. S.O. to 13.01.2022.

MEMBER (J)

**O.A. No. 858/2018 with O.A. No. 86/2019 with
O.A. No. 118/2019 with O.A. No. 278/2019 with
O.A. No. 421/2019 with O.A. No. 392/2020 with
O.A. No. 394/2020 with O.A. No. 395/2020 with
O.A. No. 398/2020 with O.A. No. 173/2021**

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

DATE : 06.01.2022

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicants in O.A. No. 858/2018, Shri S.D. Dhongde, learned Advocate for the applicants in O.A. Nos. 86/19, 118/19, 278/19, 421/19, 421/2019, 392/20, 394/20, 395/20 & 398/20, Shri G.N. Patil, learned Advocate for the applicant in O.A. No. 173/2021 and Shri Vivek Bhavthankar, learned Advocate for the applicant in O.A. No. 173/2021 and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these O.As.

2. Learned Presenting Officer placed on record a copy of communication dated 08.12.2021 issued by the Dy. Director of Land Records, Aurangabad Region, Aurangabad addressed to the Settlement Commissioner, Land Records, Maharashtra State, Pune, taking steps in the cases of the pensioners in accordance with the order of the Hon'ble Apex Court in

//2// O.A. Nos. 585/2018 & Ors.

Civil Appeal No (S). 7324 of 2021 (Arising out of SLP (C) No. 9426/2021) and Ors. dated 01.12.2021 confirming the order of the Hon'ble High Court by judgment and order dated 25.02.2019 in W.P. No. 6261/2018. Copy of the said communication is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Advocates for the applicants submit that the benefits should be given from the period of expiry of 10 years, who have completed 10 years of continuous service on cutoff date of 13.11.1995 mentioned in G.R. dated 22.10.1996 and another cutoff date of 10.03.2005 mentioned in second G.R. dated 10.03.2005.

4. Learned Presenting Officer to seek appropriate instructions from the respondents in that regard.

5. S.O. to 24.02.2022.

MEMBER (J)

**C.P. 36/2019 IN O.A. NO. 229/2015
(Dr. B.S. Borgaonkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri P.R. Tandale, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing sur-rejoinder. Time granted.

3. S.O. to 15.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 06.01.2022 – HDD

**C.P. 37/2019 IN O.A. NO. 230/2015
(Dr. Dilip R. Tandale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri P.R. Tandale, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing sur-rejoinder. Time granted.

3. S.O. to 15.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 06.01.2022 – HDD

**ORIGINAL APPLICATION NO. 709 OF 2017
(Ramesh M. Sonawane Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **06.01.2022**

ORAL ORDER :

Shri P.B. Rakhunde, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

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

3. S.O. to 2.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 491 OF 2018
(Shivanand T. Taksale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Ms. Angha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri Avinash S. Deshmukh, learned counsel for respondent No. 5, are present. Shri V.N. Upadhye, learned counsel for respondent No. 4 **(absent)**.

2. Learned Chief Presenting Officer submits that in terms of the fact that the affidavit in reply of respondent Nos. 2 and 3 has been filed, affidavit in reply of respondent No. 1 may not be necessary. Affidavit in reply of respondent No. 5 is already filed on record. Respondent No. 4 has not filed affidavit in reply nor there is any request seeking time to file the same. The matter to proceed further without affidavit in reply of the respondent No. 4.

3. The present matter be now listed for hearing on 15.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 567 OF 2018
(Shubhangi M. Sonawane Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri A.S. Shelke, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer submits that affidavit in reply of respondent No. 1 may not be necessary since the affidavit in reply of respondent No. 2 has already been filed on record.

3. List the matter for hearing on 3.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 31 OF 2019
(Vivek P. Bhamre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Kunal A. Kale, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply. Time granted as a most last chance.

3. S.O. to 3.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 78 OF 2019
(Dr. Mamta R. Chincholikar Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, present.

2. Rejoinder affidavit is not filed.
3. List the matter for hearing on 4.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 151 OF 2019
(Sachin A. Gade & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent, are present.

2. Affidavit in reply of respondent has already been filed on record.

3. List the matter for hearing on 4.2.2022.

MEMBER (A)

MEMBER (J)

O.A.NOS. 423, 424 & 425 ALL OF 2019

**(Dr. Hanumant D. Parkhe & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants in all these cases and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these cases, are present.

2. Learned counsel for the applicants submits that today he has received the copy of the affidavit in reply filed by the respondents.

3. List the matter for hearing on 7.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 617 OF 2019
(Rohit S. Mhaske & Anr. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Smt. Vidya Taksal, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 8.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 724 OF 2019
(Kailas I. Khandagale & Anr. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Ajay S. Deshpande, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 8.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 51 OF 2020
(Dr. Ashwamedh B. Jagtap & Ors. Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. On instructions, the learned counsel for the applicant seeks permission of this Tribunal to withdraw the present Original Application.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 81 OF 2020
(Sudarshan N.Shinde Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri M.B. Bharaswadkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 4 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. List the matter for hearing on 10.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 164 OF 2020
(Hemant M. Chhajer Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri A.M. Hajare, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

2. Rejoinder affidavit is not filed.
3. List the matter for hearing on 10.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 265 OF 2020
(Gulab H. Panchal Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Smt. Vidya Taksal, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Affidavit in reply of respondent Nos. 1 to 3 has already been filed on record.
3. List the matter for hearing on 11.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 303 OF 2020
(Sanjay D. Dongaonkar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri A.P. Sonpethkar, learned counsel holding for Shri P.N. Sonpethkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply to the amended O.A.. Time granted by way of last chance.

3. S.O. to 21.1.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 425 OF 2020
(Sachin U. Shinde & Anr. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4 and Shri M.B. Bharaswadkar, learned counsel for respondent Nos. 5, 6 & 11, are present. None appears for other respondents.

2. Learned Chief Presenting Officer has again sought time for filing affidavit in reply. In view of the order passed by this Tribunal on 20.12.2021, the request is rejected.

3. The present case be listed for hearing on 19.1.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 441 OF 2020
(Ganesh Arjun Mundhe Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri P.G. Tambade, learned counsel holding for Shri Santosh S. Jadhavar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. On instructions, the learned counsel for the applicant seeks permission of this Tribunal to withdraw the present Original Application.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 499 OF 2020
(Dr. Gajanan P. Tarpe Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri S.G. Magare, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer, on instructions, submits that the proposal submitted by the applicant for condonation of technical break in service has been rejected by the competent authority. He, therefore, submits for passing appropriate order.

3. Learned counsel for the applicant submits that the applicant has not yet received any such communication. The learned counsel sought permission to amend the O.A. in the event, the proposal would have been rejected. Granted.

4. S.O. to 15.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 500 OF 2020
(Yeshwant K. Bhandare Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. List the matter for hearing on S.O. to 15.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 105 OF 2021
(Smita K. Suryavanshi & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer submits that the affidavit in reply is ready and if possible the same will be filed during the course of the day or by tomorrow.

3. In view of the submissions made by learned Presenting Officer, now the matter be listed for hearing on 7.2.2022. The copy of the affidavit in reply be supplied to the learned counsel for the applicant in advance.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 150 OF 2021
(Mayur P. Chavan Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 16.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 231 OF 2021
(Sushilkumar B. Jadhav & Ors. Vs. State of Maharashtra
& Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri R.D. Khadap, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 16.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 312 OF 2021
(Subodh B. Dhonde Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Avinash S. Khedkar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 16.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 472 OF 2021
(Dr. Rahul R. Salve Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri B.R. Kedar, learned counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, present.

2. Since nobody appears for the applicant, S.O. to 31.1.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 654 OF 2021
(Madnesh A. Mudiraj Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Ms. P.S. Gondhalekar, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 16.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 688 OF 2021
(Eknath B. Parmeshwar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Santosh S. Dambe, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 17.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 747 OF 2021
(Dr. Deepak V. Vasave Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant submits that service affidavit will be filed during the course of the day. Learned Presenting Officer sought time for filing affidavit in reply on behalf of all respondents. Time granted.

3. S.O. to 17.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 763 OF 2021
(Sandip W. Khadse Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri A.W. Khadse, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

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

3. S.O. to 17.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 808 OF 2021
(Rohini N. Pashte Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Rahul B. Temak, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 18.1.2022. The copy of the affidavit in reply be supplied to the learned counsel for the applicant in advance.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 480 OF 2020
(Prakash P. Nirmal & Ors. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri R.D. Biradar, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, present.

2. Affidavit in reply on behalf of respondent Nos. 1 & 2 has already been filed on record.
3. List the matter for hearing on 15.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 406/2019 IN O.A.NO. 1553/2019
(Rajesh N. Ahire & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Sandeep G. Kulkarni, learned counsel for the applicants (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondents, present.

2. Since none appears for the applicant, S.O. to 1.2.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 36 OF 2020
(Dr. Pratap M. Shinde & 5 Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 2, Shri S.K. Kadam, learned counsel for respondent No. 3 and Shri S.B. Bhosale, learned counsel for Caveator, are present.

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

3. S.O. to 9.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 552/2019 IN O.A.ST.NO. 1681/2019
(Sushma E. Chaudhari Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Rejoinder not filed. List the matter for hearing on 11.1.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 06.01.2022 – HDD

**O.A.NOS. 1, 626, 627/2015 & 8/2017
(Dr. Balaji G. Phalke & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned counsel for the applicants in all these cases and Shri I.S. Thorat, learned Presenting Officer for the respondents in all these cases, are present.

2. At the request of learned counsel for the applicants, S.O. to 15.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 06.01.2022 – HDD

**ORIGINAL APPLICATION NO. 874 OF 2018
(Shashikant S. Yadav Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri A.M. Nagarkar, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 273/2020 IN O.A.ST.NO. 684/2020
(Vasant B. Shinde Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer sought time for filing affidavit in reply on behalf of respondent Nos. 3 & 4. Time granted as prayed for.

3. S.O. to 7.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 06.01.2022 – HDD

**ORIGINAL APPLICATION NO. 650 OF 2018
(Shivaji R. Phalegaonkar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Suresh D. Dhongde, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 6.2.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 112/2021 IN O.A.NO. 386/2020
(Ganga S. Suryawanshi Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Santosh C. Bhosale, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 15.2.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 06.01.2022 – HDD

**M.A.NO. 423/2021 IN O.A.ST.NO. 1781/2021
(Vd. Piyush Krantikumar Gandhi & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

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

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 1781 OF 2021
(Vd. Piyush Krantikumar Gandhi & Ors. Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Heard Smt. Vidya Taksal, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 18.2.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 18.2.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**M.A.NO. 3/2022 IN O.A.ST.NO. 21/2022
(Dr. Ganesh G. Kalyankar & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

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

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 21 OF 2022
(Dr. Ganesh G. Kalyankar & Ors. Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Heard M.R. Kulkarni, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 20.1.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along

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

7. Learned counsel for the applicants has insisted for grant of interim relief. We find that the affidavit in reply is necessary. Affidavit in reply be filed on or before the next date.

8. S.O. to 20.1.2022.

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

MEMBER (A)

MEMBER (J)

**M.A.NO. 269/2020 IN O.A.ST.NO. 1652/2019
(Baburao S. Mule & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Heard Shri R.D. Khadap, learned counsel for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. According to the applicant, the delay occurred in filing accompanying Original Application is of the period for 5 years, whereas as per the respondents the delay is of the period of more than 24 years.

3. We have gone through the contents of the application and documents placed on record. It is true that the applicant is claiming the benefit in the O.A. w.e.f. 1996. However, it cannot be ignored that the decision of the regularization of the service of the applicant was taken in the year 2012. As such, the delay has to be treated from the said date, which comes to 5 years. No doubt it is also a long delay, but considering the fact that the applicants are Forest Labours and relying on the fact stated in the application without admitting it at this stage that the similarly placed persons have got same benefits on the

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M.A.NO. 269/2020 IN
O.A.ST.NO. 1652/2019

basis of the same G.R., we are inclined to allow the present application. Hence, the following order: -

ORDER

The Misc. Application is allowed. The delay caused in filing accompanying Original Application is condoned. The accompanying Original Application be registered according to law.

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

MEMBER (A)

MEMBER (J)

**M.A.NO. 269/2020 IN O.A.ST.NO. 1652/2019
(Baburao S. Mule & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND**

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Heard Shri R.D. Khadap, learned counsel for the applicants and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 17.2.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 17.2.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.722/2019
(Gajanan Bansode & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Advocate for the applicants, Shri M.S. Mahajan, learned C.P.O. for respondent Nos. 1 to 3, Shri M.B. Kolpe, learned Advocate for respondent No. 4, Shri A.S. Deshmukh, learned Advocate for Respondent Nos. 5, 6, 71, 87, 150, 198, 211, 229, 369, 489, 511, 528, 625, 628 & 629, Shri G.K. Kshirsagar, learned Advocate for the Respondent Nos. 221, 222, 249, 252, 296, 327, 353, 573, 581, 593, 606 & 627, Shri S.G. Chapalgaonkar, learned Advocate for the Respondent Nos.15, 193, 194, 278, 288, 291, 331, 344, 510, 515 & 554 and Shri Sandeep Dere, learned Advocate for Respondent Nos. 142, 248, 412, 20, 22, 23, 30, 33, 36, 58, 60, 75, 78, 79, 84, 90, 92, 94, 109, 111, 115, 117, 121, 123, 126, 130, 132, 133, 158, 162, 171, 173, 177, 178, 180, 189, 196, 200, 205, 209, 210, 213, 216, 218, 226, 240, 255, 258, 260, 267, 271, 272, 594, 277, 279, 298, 303, 309, 315, 320, 326, 339, 343, 349, 351, 359, 372, 377, 382, 390, 391, 400, 402, 407, 411, 415, 417, 422, 426, 428, 436, 442, 450, 451, 453, 325, 456, 458, 467,

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O.A.NO.722/2019

475, 477, 478, 479, 488, 491, 500, 502, 512, 514, 517, 533, 535, 536, 541, 545, 550, 367, 560, 563, 565, 568, 569, 596, 603, 618, 619, 624, 626, 630, 634, 636 & 638 and Shri K.B.Jadhav learned Advocate holding for Shri Ashish Rajkar, learned Advocate for the respondent Nos. 105, 317, 443 & 458.

2. S.O. tomorrow i.e. 07-01-2022.

MEMBER (A)

MEMBER (J)

**C.P.NO.29/2020 IN O.A.NO.1014/2019
(Bade R. Shridhar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri C.V.Dharurkar, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 10-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.93/2019
(Priyanka J. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri J.M.Murkute, learned Advocate for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 27-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.490/2019
(Shivhar Bhise Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri J.M.Murkute, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 27-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.58/2020
(Ritesh Kaware & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri R.K.Ashtekar, learned Advocate for the applicant, Shri M.P.Gude, learned Presenting Officer for the respondent nos.1 to 3 and Shri A.S.Deshmukh learned Advocate for respondent no.4, are present.

2. At the request and consent of both the parties, S.O. to 25-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.100/2020
(Ashok Jagdhane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri R.S.Sadaphule/A.G.Jadhav, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 09-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.538/2020
(Sachin Pardeshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Jitendra S. Gangavane, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 03-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.557/2020
(Savita Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri A.A.More, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant has filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 07-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.342/2021
(Kalpana Shelke & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 13-01-2022.
3. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.693/2021
(Shreyas Varule Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Smt. Vaishali Suryavanshi, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 17-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.182/2019
(Dr. Devidas Lavhate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 25-01-2022.

MEMBER (A)

MEMBER (J)

M.A.NO.308/2021 IN O.A.NO.492/2021
(Ganesh Chate & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

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

2. Learned P.O. has filed affidavit in reply on behalf of respondent no.1. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 20-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.530/2021
(Priya Awhad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 28-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.736/2012
(Devidas Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri Sudhir Patil, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 01-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.612/2014
(Vidya Sakhare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri R.L.Kute, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 01-02-2022.

MEMBER (A)

MEMBER (J)

**REVIEW APPLICATION NO.08/2017
IN
ORIGINAL APPLICATION NO.498/2013
(Shivraj Hawanna Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 25-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.899/2017
(Dr. Vandana Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri G.C.Khond, learned Advocate for the applicant, Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents and Ramdas Gaikwad learned Advocate for respondent no.4, are present.

2. At the request and consent of both the parties, S.O. to 01-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.939/2017
(Dattatraya Bargaje Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

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

2. At the request and consent of both the parties, S.O. to 02-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.30/2018
(Rohini Deokar Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.107/2019
(Manjusha Kute (Khade) Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **06.01.2022**

ORAL ORDER :

Shri V.B.Wagh, learned Advocate for the applicant in O.A.No.30/2018 and for respondent no.5 in O.A.No.107/2019, Shri S.D.Joshi, learned Advocate for the applicant in O.A.No.107/2019, Shri B.S.Deokar, learned Presenting Officer for the respondents in both cases, are present.

2. At the request and consent of both the parties, S.O. to 17-01-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.776/2018
(Nana Salunke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri A.D.Sugdare, learned Advocate for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 02-02-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.927/2018
(Shamrao Kadam & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri Vilas P. Savant, learned Advocate for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 03-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.717/2019
(Rajendra Shirsat Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri Amit Savale, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 17-01-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.848/2019
(Jitendra Bagal & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 06.01.2022

ORAL ORDER :

Shri A.D.Sugdare, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 03-02-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.22/2021
(Muktyarsing Theng Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 06.01.2022

ORAL ORDER :

Shri A.S.Deshmukh, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. At the request and consent of both the parties, S.O. to 03-02-2022.
3. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

Date : 06.01.2022
ORIGINAL APPLICATION NO.08/2022
(Mahesh R. Vitekar V/s State of Maharashtra & Ors.)

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

1. Shri S.S.Pawar Id. Advocate for the applicant and Shri M.S.Mahajan Id. CPO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 25.01.2022. The case be listed for admission hearing on **25.01.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 06.01.2022

ORIGINAL APPLICATION NO.09/2022

(Dr. Prithviraj K. Chavan V/s State of Maharashtra & Ors.)

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

1. Shri Shamsundar B. Patil Id. Advocate for the applicant and Shri M.S.Mahajan Id. CPO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 04.02.2022. The case be listed for admission hearing on **04.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

06.01.2022/yuk registrar notice/

Date : 06.01.2022

M.A.NO.NO.12/2022 IN O.A.ST.NO.1746/2021

(Keshawrao W. Pawar V/s State of Maharashtra & Ors.)

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

1. Shri Shamsundar B. Patil Id. Advocate for the applicant and Shri M.S.Mahajan Id. CPO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 04.02.2022. The case be listed for admission hearing on **04.02.2022**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR