

Date : 7.9.2022

O.A. NO. 792/2022

(Shri Madhukar Laxman Pradhan V/s State of Maharashtra & Ors.)

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

1. Shri Omprakesh D. Mane, learned Advocate for the applicant and Shri D.R. Patil, learned P.O. for respondents, are present.

2. Circulation is granted. Issue notice to the respondents, returnable on **13.10.2022**. The case be listed for admission hearing on **13.10.2022**.

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

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

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

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

REGISTRAR

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 773/2022
(Smt. Mangala V. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 8.9.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST. NO. 1281/2022
(Ahmedkhan Ibrahimkhan Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri P.B. Rakhunde, learned Counsel for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned counsel, S.O. to 29.9.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 914/2016
(Shri Ravi A. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Arguments of both the sides are heard.
3. The present matter is closed for orders.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 76/2016
(Shri Pramod S. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

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

2. S.O. to 3.11.2022 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 259/2016
(Shri Ravikiran M. Shete V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.T. Veer, learned Counsel for the applicant
(**absent**). Shri I.S. Thorat, learned Presenting Officer for the
respondents, is present.

2. S.O. to 3.11.2022 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

REV. 08/2017 IN O.A. 498/2013
(Shri Shivraj D. Hawanna V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.D. Joshi, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 4.11.2022 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NOS. 103 AND 104 BOTH OF 2017
(Shri Navnath A. Matsagar & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.D. Joshi, learned Counsel for the applicants in both the matters and Shri I.S. Thorat, learned Presenting Officer for the respondents in both the matters, are present.

2. With the consent of both the sides, S.O. to 4.11.2022 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 383/2017
(Shri Uttam S. Mundhe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 7.11.2022 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 393/2017
(Taslim Khan Chand Khan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Dr. Swapnil Tawshikar, learned Counsel for the applicant (**absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for respondent no. 5, are present.

2. S.O. to 7.11.2022 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 606/2017
(Shri Bhausahab R. Rathod & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 10.10.2022 for final hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 103/2020 IN O.A. ST. 146/2020
(Shri Ramchandra N. Palmate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri V.P. Golewar, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 18.10.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 328/2021 IN O.A. 42/2013
(Shri Ranapratapsingh N. Chauhan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 18.10.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 210/2022 IN O.A. 12/2022
(Dr. Ganesh G. Kalyankar & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri M.R. Kulkarni, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. The learned Presenting Officer has tendered across the bar the affidavit in reply of respondent nos. 1 to 3 in O.A. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 18.10.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 212/2022 IN O.A. 187/2020
(Smt. Basanti G. Padvi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.A. Kulkarni, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 19.10.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 213/2022 IN O.A. 259/2021
(Smt. Megharani P. Tarkase V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 19.10.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 920/2019
(Dr. Datta M. Dhanve V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 28.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 40/2020
(Shri Shankar P. Dange V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri R.J. Nirmal, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 28.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 93/2021
(Smt. Deepali R. Pinjarkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri J.M. Murkute, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 18.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 96/2021
(Shri Shriram P. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri R.P. Bhumkar, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. The learned PO has tendered across the bar the affidavit in reply of respondent nos. 2 & 3. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 26.9.2022 for hearing. The applicant is at liberty to file rejoinder, if any, if he so desire.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 145/2021
(Shri Jagdish N. Saindane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri A.S. Bayas, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 19.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 153/2021
(Dr. Kiran P. Rochkari V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri M.R. Kulkarni, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 19.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 163/2021
(Nisar Kha Abdullatif Kha Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.N. Suryawanshi, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 20.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 221/2021
(Shri Subhash S. Jawaddekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. The learned PO has tendered across the bar the affidavit in reply of the respondents. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 20.10.2022 for filing rejoinder, if any, by the applicant.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 224/2021
(Shri Chandu M. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri Sunil B. Jadhav, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 21.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 277/2021
(Shri Shivaji N. Wagh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. The learned counsel has sought time for filing the rejoinder affidavit of the applicant. Time granted.
3. S.O. to 11.11.2022.
4. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 390/2021
(Shri Govind D. Mane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned Counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities and Shri S.P. Urgunde, learned counsel for respondent no. 3, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondent nos. 1 & 2. Time granted.

3. S.O. to 21.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 424/2021
(Dr. Vaibhav G. Wakade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned Counsel for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned counsel holding for Shri V.D. Patnoorkar, learned counsel for respondent no. 4, are present.

2. Shri Pingle, learned counsel has tendered across the bar the affidavit in reply of respondent no. 4. It is taken on record and copy thereof has been supplied to other side.

3. The learned PO has sought time for filing the affidavit in reply of remaining respondents.

4. S.O. to 21.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 539/2021
(Shri Jagannath S. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.B. Bhosale, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. The learned counsel has sought time for filing the rejoinder affidavit of the applicant. Time granted.

3. S.O. to 21.10.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 628/2021
(Smt. Swati G. Swami V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.P. Urgunde, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 3.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 791/2021
(Shri Prabhakar B. Bush V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri Ashish B. Rajkar, learned Counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. The learned counsel has sought time for filing the rejoinder affidavit of the applicant. Time granted.

3. S.O. to 3.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 256/2022
(Shri Ashok S. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 3.11.2022 for filing rejoinder affidavit, if any, by the applicant.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 396/2022
(Smt. Susrusha A. Wakale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.D. Joshi, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.

3. S.O. to 4.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 418/2022
(Shri Ramhari S. Khade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri D.K. Dagadkhair, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 4.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 515/2022
(Shri Sachin V. Hingole & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri J.S. Deshmukh, learned Counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 4.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 700/2022
(Shri Sujay S. Gaydhane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.D. Munde, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 9.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 710/2022
(Shri Dharmraj L. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri V.G. Pingle, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 9.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 711/2022
(Shri Nandu B. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri V.G. Pingle, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 9.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 521/2019 IN O.A. ST. 1930/2019
(Shri Prashant P. Sonagraa V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri A.D. Kawre, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. Await service of notice upon respondent no. 3.
3. The learned PO has sought time for filing the affidavit in reply of the remaining respondents. Time granted.
3. S.O. to 10.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 561/2019 IN O.A. ST. 2250/2019
(Shri Ratish R. Manurkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned Counsel for the applicant and Shri N.U. Deshpande, learned Presenting Officer for the respondents, are present.

2. The learned counsel has sought time for filing the rejoinder affidavit of the applicant as per order dated 16.6.2022. Time granted.
3. S.O. to 10.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 90/2020 IN O.A. 1067/2019
(Shri Prakash J. Pawara V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri Dhajanjay Mane, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 10.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 286/2021 IN O.A. ST. 860/2021
(Smt. Pushpa S. Waghmode V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri D.H. Jadhav, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Await service of notice upon the respondents.
3. S.O. to 11.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. ST. 1599/2021 IN O.A. ST. 1553/2021
(Shri Sham G. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri A.D. Aghav, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. The learned PO has sought time for filing the affidavit in reply of the respondents. Time granted.
3. S.O. to 11.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A. 95/2022 IN O.A. ST. 109/2022
(Shri Sanjay V. Mhaske V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Smt. Amruta Paranjape, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Await service of notice upon the respondents.
3. S.O. to 11.11.2022.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

O.A. 447/2022 WITH M.A. NOS. 261/2022 AND M.A. 257/2022
(Dr. Sanjay Kumarrao Muley & Ors. V/s. State of Maharashtra & Ors. &
Dr. Pratap M. Shinde & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Shri S.G. Chapalgaonkar, learned Counsel for the applicants in O.A., Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri S.B. Bhosale, learned counsel holding for Shri R.R. Kale, learned counsel for applicants in M.As., are present.

2. Arguments of both the sides are heard.
3. The matter is closed for orders.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDERS 7.9-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 779/2022
(Shri Machindra N. Kanade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Heard Shri A.S. Khedkar, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The grievance of the applicant is in respect of the revised pay fixation. According to the applicant that has been wrongly re-fixed. The said order therefore is sought to be quashed and set aside in the present O.A. The learned counsel has prayed for the interim relief to stay the said impugned order, whereby pay of the applicant has been revised.

3. We are not inclined to grant interim relief at this stage since there is nothing from the other side in support of the order passed while revising the pay. In the circumstances, we deem it appropriate to issue notices to the respondents.

4. It is brought to our notice that only 1½ year remain for the applicant to attend the age of superannuation. Hence we direct the respondents to file the affidavit in reply by the next date. Hence, the following order :-

ORDER

1. Issue notice to respondents, returnable on 3.10.2022.
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
3. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
4. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
5. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
6. **We direct the respondents to file the affidavit in reply by the next date.**
7. S.O. to 3.10.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.752/2022
(Manisha Chhatrabhuj Panchal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Heard Shri Amol B. Chalak, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. When the present matter is taken up for consideration, learned CPO has sought time for filing affidavit in reply.

3. Learned Counsel for the applicant though did not object for granting time for filing affidavit in reply insisted for grant of interim relief apprehending that based on the reply submitted by the applicant, respondent no.4 on the basis of the show cause notice impugned in the present O.A., may dispense with the services of the present applicant. Learned Counsel submits that in the O.A., applicant has challenged the competence of respondent no.3 of reviewing his own order. Learned Counsel relying on the order passed by

the Hon'ble Bombay High Court in Writ Petition No.3195/2022 on 23-03-2022 submitted that the same issue was before the Hon'ble Bombay High Court wherein the order passed by Maharashtra Administrative Tribunal was under challenge and the matter has been remitted back to the Tribunal to decide the objection as has been raised by the petitioner taking exception of the power review exercised by respondent no.3.

4. Learned Counsel also placed on record order passed by Hon'ble Bombay High Court Bench at Aurangabad in Writ Petition No.8882/2022 on 30-08-2022. After having gone through the order so passed, we are inclined to pass the following order:

ORDER

Time as has been sought by the learned CPO for filing affidavit in reply is granted. Till then, the respondents shall not dispense with the services of the applicant only on account of the impugned order.

5. S.O. to 06-10-2022.

MEMBER (A)

YUK (!) ORAL ORDERS 07-09-2022

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.664/2021
(Sanjay D. Gangawane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

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

2. Arguments are heard. Departmental Promotion Committee's meeting was called for. Learned CPO submits that original record is available with him. Learned Counsel submits that from the record available with the learned CPO, set of Xerox copies is prepared which he has submitted today. Said Xerox set is taken on record.

3. Matter stands adjourned for further consideration on 19-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO.139/2020 IN O.A.NO.866/2019
(Santoshsing K. Rajput V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri Kalyan V. Patil, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. For the reasons stated in the M.A., which according to us are just and proper, delay occurred in filing the O.A. is condoned.

3. M.A. is allowed and disposed of accordingly with no order as to costs.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.866/2019
(Santoshsing K. Rajput V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri Kalyan V. Patil, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Issue notice to respondents, returnable on 03.11.2022.

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 03.11.2022.

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

MEMBER (A)
YUK (!) ORAL ORDERS 07-09-2022

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

C.P.NO.36/2019 IN O.A.NO.229/2015 WITH
C.P.NO.37/2019 IN O.A.NO.230/2015
(Dr. Bhaskar Borgaonkar & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri P.R.Tandale, learned Counsel for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Counsel for the applicant has tendered across the bar affidavit annexed with certain documents. Same is taken on record. Copies are provided to the learned P.O. Learned P.O. shall make submission on the next date.

3. S.O. to 29-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.491/2018
(Shivanand T. Taksale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Ku. Anagha 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 authorities and Shri A.S.Deshmukh, learned Counsel for respondent no.5, are present.

Shri V.N.Upadhye, learned Counsel for respondent no.4 is **absent**.

2. S.O. to 20-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.596/2018 & 597/2018
(Dr. Sunil Bhandare & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri Gajanan Shembole, learned Counsel for the applicants and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.262/2019
(Vijay Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri D.D.Korade, learned Counsel for the applicant, Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities and Shri V.M.Chate, learned Counsel for respondent no.5, are present.

2. S.O. to 26-09-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.480/2020
(Prakash Nirmal & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri R.D.Biradar, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 20-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.27/2021
(Mohan Wadajkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri D.A.Mane, learned Counsel for the applicant
and Smt. Sanjivani Ghate, learned Presenting Officer
for the respondents, are present.

2. S.O. to 20-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.28/2021
(Gorakh Dhakane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

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

2. S.O. to 20-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.385/2021
(Sachin Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri V.G.Pingle, learned Counsel for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.478/2021
(Syed Mujahed Syed Qutbuddin V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri V.G.Pingle, learned Counsel for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.652/2021
(Sadashiv Pohandulkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri S.D.Joshi, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned Counsel submitted affidavit to sur-rejoinder of respondents. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 18-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.685/2021
(Amol Chate & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri Sandeep D. Munde, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.30/2022
(Mahesh Vaidya V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri S.B.Choudhari, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.252/2022
(Dr. Sudhir Bhise V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Shri K.G.Salunke, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO.459/2022
(Suresh Kapate & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07-09-2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 14-10-2022.

MEMBER (A)

VICE CHAIRMAN

YUK (!) ORAL ORDERS 07-09-2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST. NO. 1480 OF 2022
(Dr. Pranita Prakash Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **7.9.2022**

ORAL ORDER :

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

2. The applicant Nos. 1, 2 & 4 belong to Open Category, applicant No. 3 belongs to N.T. (D/3), applicant No. 5 belongs to S.T. category and applicant No. 6 belongs to N.T. (B) category and applicant Nos. 1, 2 & 3 possess the qualification of M.B.B.S. and P.G. diploma and applicant Nos. 4, 5 & 6 possess qualification of M.B.B.S..

3. Up to the year 2010, the Medical Officer (Class-II) from Public Health Department had been working on deputation on establishment of Directorate of Medical Education & Research (in brief, 'DMER'). However, thereafter, a policy decision was taken by Public Health Department to recall such Medical Officers to meet requirement of its Public Health Service Centres. As it was going to take some time to make necessary arrangement for regular recruitment of Medical Officers through Maharashtra Public Service Commission (in short, MPSC), respondent no. 1 issued a Government Resolution dated 1.7.2010 elaborating policy and procedure for ad-hoc appointment of Medical Officers Class-II. In that

connection it was stipulated that a Selection Committee be constituted as per the GR dated 10.8.2001, which was issued for appointment of Assistant Professors etc. and procedure prescribed therein be followed for the purpose.

4. Accordingly, respondent no. 5 appointed first batch of 43 Medical Officers on ad-hoc basis by issuing advertisement on 17.2.2011. He also issued subsequent advertisements on 20.11.2013, 20.11.2014, 22.3.2018, 24.5.2019, 26.8.2019 and 22.4.2021 for appointment of 27, 2, 2, 9, 3 and 6 Medical Officers on ad-hoc basis. Such appointments were generally for initial period of 120 days extendable for another 364 days with a technical break. The applicants claim that they have worked on ad-hoc basis as Medical Officer, Grade-I (Class-II) till date.

5. It is the grievance of the applicants that now the Recruitment Rules are framed in March, 2022 and according to the said Recruitment Rules the process of recruitment has been commenced by issuing advertisement dated 22.7.2022 in that regard. Applicants have, however, not submitted copy of Recruitment Rules of March, 2022. In the said advertisement for the Open Class Category candidates upper age limit is prescribed as 38 years. Applicant are within upper age limit and have applied for the subject post subject to outcome of this O.A. It is further grievance of the applicants that they have not been regularized and now under the threat of discontinuation.

6. Learned counsel for the applicants has brought to our notice that similarly situated other candidates have approached the Single Bench of this Tribunal with a request for regularization of their services and the judgment is delivered by the Single Bench on 18.8.2022

directing the respondents to regularize the services of the applicants therein. In the aforesaid circumstances, the applicants have filed the present O.A. with a prayer for regularization of their services with consequential benefits. The applicants have prayed for interim relief thereby requesting to direct the respondents to keep six posts vacant till decision of the present O.A. and not to discontinue the applicants till then.

7. Learned counsel appearing for the applicants submits that the applicants were having an option to file the Original Application with a prayer for regularization of their services as were filed by the similarly situated other Medical Officers. Learned counsel further submitted that however, in view of the subsequent developments, more particularly that the recruitment process has now commenced and if the new recruitees are appointed the natural consequence of it will be retrenchment or removal of the present applicants. Learned counsel further submitted that in the circumstances the applicants have approached this Tribunal with the prayer of regularization, as well as, for restraining the respondents from discontinuing the services of the applicants and to keep six posts vacant till decision of the present Original Application.

8. Learned Chief Presenting Officer has sought time to file affidavit in reply on behalf of the respondents. It is further submitted that for want of information the statement also cannot be made on behalf of the respondents as about the progress in the recruitment process.

9. We have carefully considered the submissions advanced by the learned counsel appearing for the applicant and the learned Presenting Officer.

10. From the record it is quite evident that the applicants were duly selected by the Divisional Selection Committee in the year 2011, 2014, 2013, 2018, 2019 & 2021 respectively and since then they are discharging their duties on the subject post. From the record it also reveals that at the relevant time the recruitment of the applicants were made on the basis of the G.R. dated 10.8.2001 r/w G.R. dated 1.7.2010. It is further claimed by applicant that at the relevant time there were no Recruitment Rules framed insofar as recruitment of Medical Officer in the Medical Colleges are concerned and the Recruitment Rules are claimed to have been framed in March, 2022 and thereafter for the first time the recruitment process has been commenced. The applicants are within upper age limit as prescribed for applying for the subject post. In the similar facts and circumstances, the Division Bench of the Hon'ble Bombay High Court Bench at Nagpur in W.P. No. 2046/2010 had granted relief to the similarly placed candidates. It further appears that when the applicants had worked on the subject post for more than 11, 9, 5, 4, & 2 years respectively, their services need to be protected. As such, we find that there is *prima facie* case made out by the applicants and if no interim relief is granted their rights are likely to be prejudicially affected. It is to be further stated that in fact, the appropriate remedy for the applicants would have been to file the O.A. only with a prayer of regularization of services as has been done by their colleagues. However, the reason for not adopting the said course has been explained by the learned counsel. In

the circumstances, we deem it appropriate to pass the following order: -

ORDER

- (i) Issue notices to the respondents, returnable on 29.09.2022.
- (ii) Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- (iii) 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.
- (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 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.
- (vi) **The respondents are directed not to discontinue the services of the applicants until further orders of this Tribunal.**
- (vii) S.O. to 29.09.2022.
- (viii) Steno copy and hamdust granted to both parties.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST.NO. 1482 OF 2022
(Dr. Dharamraj A. Dudde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 7.9.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned counsel for the applicant Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The applicant No.1 belongs to OBC Category and applicant Nos. 2 & 3 belong to Open Category and they possess the qualifications of M.B.B.S. and diploma in DCH.

3. Up to the year 2010, the Medical Officer (Class-II) from Public Health Department had been working on deputation on establishment of Directorate of Medical Education & Research (in brief, 'DMER'). However, thereafter, a policy decision was taken by Public Health Department to recall such Medical Officers to meet requirement of its Public Health Service Centres. As it was going to take some time to make necessary arrangement for regular recruitment of Medical Officers through Maharashtra Public Service Commission (in short, MPSC), respondent no. 1 issued a Government Resolution dated 1.7.2010 elaborating policy and procedure for ad-hoc appointment of Medical Officers Class-II. In that connection it was stipulated that a Selection Committee be constituted as per the GR dated 10.8.2001, which was

issued for appointment of Assistant Professors etc. and procedure prescribed therein be followed for the purpose.

4. Accordingly, respondent no. 5 appointed first batch of 43 Medical Officers on ad-hoc basis by issuing advertisement on 17.2.2011. He also issued subsequent advertisements on 20.11.2013, 20.11.2014, 22.3.2018, 24.5.2019, 26.8.2019 and 22.4.2021 for appointment of 27, 2, 2, 9, 3 and 6 Medical Officers on ad-hoc basis. Such appointments were generally for initial period of 120 days extendable for another 364 days with a technical break. The applicants claim that they have worked on ad-hoc basis as Medical Officer, Grade-I (Class-II) till date.

5. It is the grievance of the applicants that now the Recruitment Rules are framed in March, 2022 and according to the said Recruitment Rules the process of recruitment has been commenced by issuing advertisement dated 22.7.2022 in that regard. Applicants have, however, not submitted copy of Recruitment Rules of March, 2022. In the said advertisement for the Open Class Category candidates upper age limit is prescribed as 38 years. Applicant are within upper age limit and have applied for the subject post subject to outcome of this O.A. It is further grievance of the applicants that they have not been regularized and now under the threat of discontinuation.

6. Learned counsel for the applicants has brought to our notice that similarly situated other candidates have approached the Single Bench of this Tribunal with a request for regularization of their services and on 18.8.2022 the judgment is delivered by the Single Bench directing the respondents to regularize their services of the applicants therein. In the aforesaid circumstances, the

applicants have filed the present O.A. with a prayer for regularization of their services with consequential benefits. The applicants have prayed for interim relief thereby requesting to direct the respondents to keep three posts vacant till decision of the present O.A. and not to discontinue the applicants till then.

7. Learned counsel appearing for the applicants submits that the applicants were having an option to file the Original Application with a prayer for regularization of their services as were filed by the similarly situated other Medical Officers. Learned counsel further submitted that however, in view of the subsequent developments, more particularly that the recruitment process has now commenced and if the new recruits are appointed the natural consequence of it will be retrenchment or removal of the present applicants. Learned counsel further submitted that in the circumstances the applicants have approached this Tribunal with the prayer of regularization, as well as, for restraining the respondents from discontinuing the services of the applicants and to keep three posts vacant till decision of the present Original Application.

8. Learned Chief Presenting Officer has sought time to file affidavit in reply on behalf of the respondents. It is further submitted that for want of information the statement also cannot be made on behalf of the respondents as about the progress in the recruitment process.

9. We have carefully considered the submissions advanced by the learned counsel appearing for the applicant and the learned Presenting Officer.

10. From the record it is quite evident that the applicants were duly selected by the Divisional Selection Committee in the year 2011, 2014, 2013, 2018, 2019 & 2021 respectively and since then they are discharging their duties on the subject post. From the record it also reveals that at the relevant time the recruitment of the applicants were made on the basis of the G.R. dated 10.8.2001 r/w G.R. dated 1.7.2010. It is further claimed by applicant that at the relevant time there were no Recruitment Rules framed insofar as recruitment of Medical Officer in the Medical Colleges are concerned and the Recruitment Rules are claimed to have been framed in March, 2022 and thereafter for the first time the recruitment process has been commenced. The applicants obviously cannot participate in the said selection process for the reason that they have crossed upper age limit prescribed for applying for the subject post. In the similar facts and circumstances, the Division Bench of the Hon'ble Bombay High Court Bench at Nagpur in W.P. No. 2046/2010 had granted relief to the similarly placed candidates. It further appears that when the applicants had worked on the subject post for more than 2 years, their services need to be protected. As such, we find that there is *prima facie* case made out by the applicants and if no interim relief is granted their rights are likely to be prejudicially affected. It is to be further stated that in fact, the appropriate remedy for the applicants would have been to file the O.A. only with a prayer of regularization of services as has been done by their colleagues. However, the reason for not adopting the said course has been explained by the learned counsel. In the circumstances, we deem it appropriate to pass the following order: -

ORDER

- (i) Issue notices to the respondents, returnable on 29.09.2022.
- (ii) Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- (iii) 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.
- (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 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.
- (vi) **The respondents are directed not to discontinue the services of the applicants until further orders of this Tribunal.**
- (vii) S.O. to 29.09.2022.
- (viii) Steno copy and hamdust granted to both parties.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO. 381/2022 IN O.A.ST.NO. 1482/2022
(Dr. Dharmaraj A. Dudde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned counsel for the applicant Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. This is an application preferred by the association seeking leave to sue jointly in representative capacity.

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)

VICE CHAIRMAN

ORAL ORDERS 07.09.2022-HDD

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO. 380/2022 IN O.A.ST.NO. 1480/2022
(Dr. Dharmaraj A. Dudde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

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

2. This is an application preferred by the association seeking leave to sue jointly in representative capacity.

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)

VICE CHAIRMAN

ORAL ORDERS 07.09.2022-HDD

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 772 OF 2022
(Moreshwar Dadabhau Nawale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Shri Avinash S. Khedkar, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. It is the grievance of the applicant that his pension has been revised on the ground that it was inadvertently fixed on higher side and the recovery is also proposed. The said order whereby the pay has been revised is sought to be quashed and set aside in the present Original Application. Learned counsel has sought interim relief to stay effect and operation of the said order.

3. The learned P.O. has sought time to file the affidavit in reply on behalf of the respondents. The learned P.O. submitted that in absence of instructions from the respondents she is unable to make any submission on merit.

4. We have gone through the documents filed on record. The applicant is seeking quashment of the

order, whereby the pay of the applicant has been revised by way of interim relief. In fact, the main relief sought by the applicant is quashment of the said order and recovery consequent thereupon. Granting any such relief as prayed by the applicant would amount to granting final relief at the interim stage. However, no such case is made out by the applicant. Whether the pay has been revised in accordance with law, whether the pay could have been revised, at this stage are the issues, which cannot be decided unless other side is given an opportunity of filing its say. In the circumstances, though we are not inclined to stay the execution and operation of the impugned order at this interim stage, we deem it appropriate to restrain the respondents from effecting any recovery on the basis of the said order. Hence, the following order :-

ORDER

- (i) Issue notice to the respondents, returnable on 3.10.2022.
- (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) The respondents are restrained to recover any amount as mentioned in the communication dated 21.7.2022 until further orders from this Tribunal.

(vii) S.O. to 3.10.2022.

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

MEMBER (A)

VICE CHAIRMAN

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**O.A. Nos. 457/2020, 458/2020 & 462/2020
(Samba H. Sarpate & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Shri P.D. Jarare, learned Advocate for the applicants in all these O.As. (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 and 3 in all these O.As. and Smt. Anuradha S. Mantri, learned Advocate for respondent No. 2 in all these O.As.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 and 3 in O.A. Nos. 457/2020 & 458/2020. Same is taken on record and copy thereof has been served on the other side.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 and 3 in O.A. No. 462/2020.

4. S.O. to 14.10.2022 for filing rejoinder affidavit in O.A. Nos. 457/2020 & 458/2020, if any.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 571 OF 2020
(Madhukar R. Mapari V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. S.O. to 07.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 584 OF 2020
(Gopalrao R. Kulkarni through his Lrs. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Shri M.L. Dharashive, learned Advocate for the applicant (**Absent**). Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed by the respondent Nos. 1, 3 to 5. Hence, the present matter will proceed further without affidavit in reply of the respondent Nos. 1, 3 to 5 in accordance with law.

3. S.O. to 03.10.2022 for admission.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 615 OF 2021
(Dr. Godavari M. Vaidya V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed by the respondents. Hence, the present matter will proceed further without affidavit in reply of the respondents in accordance with law.

3. S.O. to 14.10.2022 for admission.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 705 OF 2021
(Balwant S. Mukhade V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted as a last chance for filing rejoinder affidavit, if any.

3. S.O. to 07.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 772 OF 2021
(Prakash J. Salve & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Smt. Neha Kamble / S.D. Tangad, learned Advocate for the applicants (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 10.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 773 OF 2021
(Kalim Salim Inamdar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Shri Sayyed Tauseff Yaseen / Muhammad Aseem, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the affidavit in reply is not filed by the respondents. Hence, the present matter will proceed further without affidavit in reply of the respondents in accordance with law.

3. S.O. to 27.09.2022 for admission.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 38 OF 2022
(Dilip B. Bharaskar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted as a last chance for filing rejoinder affidavit, if any.

3. S.O. to 30.09.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 340 OF 2022
(Nandkishor S. Chitlange V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. S.O. to 07.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 501 OF 2022
(Jayvant B. Gaikwad V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1, 2 & 4 and Shri V.V. Mande, learned Advocate for respondent No. 3.

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

3. S.O. to 30.09.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 502 OF 2022
(Mohammad Siddiq Mohammad Sarwar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri G.N. Kulkarni, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

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

3. S.O. to 13.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 600 OF 2022
(Dr. Rahimoddin Rasulsab Shaikh V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri P.D. Bodade, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Shri P.R. Tandale, learned Advocate for respondent No. 4. None present on behalf of respondent No. 5, though duly served.

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

3. S.O. to 27.09.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 603 OF 2022
(Sachin G. Shelke V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. S.O. to 14.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 617 OF 2022
(Amol N. Manore V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri Tapan K. Sant, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 18.10.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 626 OF 2022
(Darshan D. Kale V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. S.O. to 12.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 634 OF 2022
(Somnath R. Baviskar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. S.O. to 23.09.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 658 OF 2022
(Satish S. Kulkarni V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. S.O. to 13.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 704 OF 2022
(Prakash S. Aghav Patil V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 12.10.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 717 OF 2022
(Vilas S. Jadhav V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. S.O. to 12.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 588/2019 in O.A. St. No. 2292/2019
(Vyankat L. Nilawar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, the rejoinder affidavit is not filed by the applicant in M.A. Hence, the present matter will proceed further without rejoinder affidavit of the applicant in accordance with law.

3. S.O. to 20.10.2022 for hearing.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 12/2021 in O.A. St. No. 34/2021
(Gorakh B. Dhakane V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Shri D.A. Mane, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 13.10.2022 as a last chance for filing rejoinder affidavit in M.A., if any.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 79/2022 in O.A. St. No. 216/2022
(Sahebrao C. Shinde & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 17.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 166/2021 in O.A. St. No. 644/2022
(Shaikh Mohseen Shaikh Khadar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit in M.A., if any.

3. S.O. to 14.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 167/2022 in O.A. St. No. 553/2022
(Agatrao N. Kolekar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Shri R.V. Naiknavare / H.P. Jadhav, 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, time is granted for filing affidavit in reply on behalf of respondent Nos. 1, 2 & 4 in M.A.

3. S.O. to 18.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 209/2022 in O.A. St. No. 108/2021
(Ashok R. Jujgar V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 17.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**M.A. No. 295/2022 in O.A. St. No. 910/2022
(Nanda S. Nagare & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 17.10.2022.

MEMBER (J)

KPB ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.130 OF 2021
(Sunil P. Deshpande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri P.H. Patil, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Record shows that the pleadings are complete.

3. The matter is pertaining to entitlement of annual increment of 01.07.2018 being retired on 30.06.2018. It is admitted and fixed for final hearing.

4. S.O. to 20.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.18 OF 2022
(Ashok S. Nikam V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. Record shows that the pleadings are complete.

3. The matter is pertaining to seeking deemed date of promotion in the cadre of Police Head Constable from the year 2015 to the applicant. It is admitted and fixed for final hearing.

4. S.O. to 11.10.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.224 OF 2022
(Jayprakash B. Sonawane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri P.G. Tambade, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 22.09.2022.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.228 OF 2022
(Dr. Saurabh P. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 12.10.2022 for taking necessary steps to file amendment application.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.425 OF 2022
(Ramdas H. Lohakare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. Record shows that the pleadings are complete.

3. The matter is regarding challenge made to the suspension order.

4. Learned Advocate for the applicant submits that the suspension is still not revoked.

5. In view of above, it is fixed for final hearing at the stage of admission on 13.10.2022.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

**FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.740 OF 2019
(Natharao R. Dodabe V/s. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO.741 OF 2019
(Ankush L. Jadhav V/s. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO.742 OF 2019
(Mohan F. Jadhav V/s. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO.743 OF 2019
(Mubasaroddin S. Sidiqui V/s. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO.745 OF 2019
(Kishor U. Bhusari V/s. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO.746 OF 2019
(Vilas W. Chavan V/s. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO.01 OF 2021
(Prasad S. Bhise V/s. State of Maharashtra & Ors.)**

WITH

**ORIGINAL APPLICATION NO.45 OF 2021
(Akhilujjamakha Shafiujjamakha Pathan V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri M.B. Bharaswadkar, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. By consent of both the sides, S.O. to 23.09.2022 for final hearing.

MEMBER (J)

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.144 OF 2021
(Vithal T. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. At the request of the learned Advocate for the applicant, S.O. to 22.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.37 OF 2022
(Vasundhara V. Borgaonkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. The present matter is closed for order.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.116 OF 2017
(Dr. Dhanraj W. Kendre V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Shri Vijay V. Deshmukh, learned Advocate for the applicant, is **absent**. Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 12.10.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.388 OF 2018
(Namdeo P. Gawali V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 12.10.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.862 OF 2018
(Kiran S. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate holding for Shri Suresh D. Dhongde, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 28.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.190 OF 2019
(Dr. Chandrakant B. Lamture V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 10.10.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.308 OF 2019
(Laxman B. Parandkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

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

3. By consent of both the sides, S.O. to 03.10.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.422 OF 2019
(Syed Khaja Syed Meeran V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 20.10.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.908 OF 2019
(Shaikh Nisar Ahmed Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. The present matter is closed for order.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.43 OF 2020
(Baliram M. Malhare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 21.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.507 OF 2020
(Anil S. Burkul V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate holding for Shri Suresh Dhongde, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 29.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
M.A.NO.34 OF 2021 IN O.A.ST.NO.122 OF 2021
(Vijay R. Shringare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri Prafulla Bodhade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant and Smt. Deepali S. Despande, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 19.10.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.173 OF 2022
(Ajay G. Dawane & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri R.R. Wakekar, learned Advocate holding for Shri V.P. Kadam, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 23.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.568 OF 2019
(Dnyanoba K. Oval V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri D.T. Devane, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the affidavit-in-reply is not filed on behalf of the respondent Nos.1 & 2. Hence, the present matter will proceed further without affidavit-in-reply of the respondent Nos.1 & 2 in accordance with law.

3. The burden is upon the respondents to produce on record necessary documents, if required for deciding the O.A.

4. S.O. to 07.10.2022 for admission.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.76 OF 2020
(Shantabai G. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri Rajeev B. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos.1 & 3.

2. Shri U.B. Bondar, learned Advocate filed **VAKALATNAMA** on behalf of the respondent Nos.2 & 4. It is taken on record.

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

4. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 & 3.

5. S.O. to 30.09.2022.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.46 OF 2022
(Adinath A. Nagargoje V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 29.09.2022 for admission.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
ORIGINAL APPLICATION NO.692 OF 2022
(Avinash T. Dhondge V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos.1 & 2 and Shri V.B. Wagh, learned Advocate for the respondent No.3.

2. Affidavit-in-rejoinder filed on behalf of the applicant is taken on record and copies thereof have been served on the other sides.

3. S.O. to 15.09.2022 for admission. Interim relief granted earlier to continue till then. The original record be called for.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
M.A.NO.288 OF 2020 IN O.A.ST.NO.1063 OF 2020
(Pratap S. Sontakke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri U.P. Giri, learned Advocate holding for Shri Ganesh J. Kore, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the affidavit-in-reply is not filed on behalf of the respondents.

3. In view of above, S.O. to 10.10.2022 for hearing without reply.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
M.A.NO.346 OF 2021 IN O.A.ST.NO.904 OF 2021
(Kantabai C. Narwade & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri U.P. Giri, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Await service of notice on the respondent Nos.4 & 5.

3. At the request of the learned Advocate for the applicants, S.O. to 10.10.2022 for taking necessary steps.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
M.A.NO.49 OF 2022 IN O.A.ST.NO.37 OF 2022
(Dipak S. Sherkhane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri U.P. Giri, learned Advocate holding for Shri G.J. Kore, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the affidavit-in-reply is not filed on behalf of the respondents.

3. In view of above, S.O. to 10.10.2022 for hearing without reply.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
M.A.NO.252 OF 2022 IN O.A.ST.NO.954 OF 2022
(Pallavi E. Bhand V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022.

ORAL ORDER :

Heard Shri O.D. Mane, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O.to 03.10.2022.

MEMBER (J)

SAS ORAL ORDERS 07.09.2022

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO. 379/2022 IN O.A.ST.NO. 1473/2022
(The Association of the Ministerial Services of Department of
Agriculture, M.S. Pune & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Shri A.S. Shelke, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. This is an application preferred by the association seeking leave to sue jointly in representative capacity.

3. It is brought to our notice that the Association is duly registered and representing the cause in the interest of members of its Association. We are, therefore, inclined to allow the present M.A. It is accordingly allowed.

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)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST.NO. 1473 OF 2022
(The Association of the Ministerial Services of Department of
Agriculture, M.S. Pune & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Shri A.S. Shelke, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue simple notice to respondents, returnable on 7.10.2022.

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

4. 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.

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 Chief Presenting Officer has sought time to file affidavit in reply, though learned counsel has insisted for interim relief. We deem it appropriate to grant four weeks' time to the respondents to file the affidavit in reply. In the meanwhile if any such contingency arises, it would be open for the applicants to move for interim relief.

8. S.O. to 7.10.2022.

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

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO. 315/22 IN REV.ST.1163/22 IN O.A. 707/19
(Rama M. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

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

2. The delay has occasioned in filing review application and hence, the present application is filed seeking condonation of delay.

3. Issue notice to respondents in delay condonation application, returnable on 16.9.2022.

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

5. 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.

6. 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.

7. 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.

8. S.O. to 16.9.2022.

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

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

C.P.NO. 24/2022 IN O.A. NO. 902/2019
(Shivaji Mahadu Thorat V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

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

2. Issue simple notice to respondents, returnable on 4.10.2022.
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 4.10.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

C.P.NO. 23/2022 IN O.A. NO. 683/2019
(Shivaji Madhavrao Ghantewad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

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

2. Issue simple notice to respondents, returnable on 4.10.2022.
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 4.10.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

C.P.NO. 22/2022 IN O.A. NO. 25/2021
(Shankar P. Dange V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Shri S.B. Bhosale, learned counsel holding for Shri R.J. Nirmal, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Today when the contempt petition is taken up for consideration it is brought to our notice that the review is filed by the respondents. With pretext of the review it appears that the order passed by this Tribunal is not being complied with. We, therefore, pre-poned the date given in the M.A.ST.1288/2022 IN REVIEW ST.1138/2022 IN O.A. NO. 25/2021 with consent of the parties and list the matter for hearing tomorrow.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 07.09.2022-HDD

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

C.P.NO. 21/2022 IN O.A. NO. 51/2018
(David Shamual Ganthur & 2 Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondents, returnable on 4.11.2022.

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

4. 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.

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 4.11.2022.

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

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

O.A.NOS. 626, 641 & 642 ALL OF 2019
(Sheshrao R. Giri & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Shri S.K. Mathpati, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in all these cases.

2. At the request of learned counsel for the applicants, S.O. to 16.9.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 07.09.2022-HDD

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 350 OF 2022
(Pralhad C. Shelke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

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

2. Learned Chief Presenting Officer submits that the affidavit in reply is ready and it is to be filed today in the present matter. In view of the order dated 26.7.2022, learned Chief Presenting Officer has sought permission for filing affidavit in reply. The request so made is not seriously opposed by the learned counsel for the applicant he only submits that the matter be heard as expeditiously as possible.

3. In view of the submissions so made the respondents are directed to file affidavit in reply. The matter shall be thereafter kept for hearing. In the meanwhile it would be open for the applicant, if he so desires, to file rejoinder affidavit.

4. S.O. to 14.10.2022.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO. 374/2022 IN O.A.ST.NO. 1381/2022
(Rashtra Seva Arogya Karmachari Sanghatna through its Secretary,
Kailas S/o Tukaram Harkal & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Shri Prasad D. Jarare, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. This is an application preferred by the association seeking leave to sue jointly in representative capacity.

3. It is brought to our notice that the Association is duly registered and representing the cause in the interest of members of its Association. We are, therefore, inclined to allow the present M.A. It is accordingly allowed.

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)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD
O.A.ST.NO. 1381/2022

**(Rashtra Seva Arogya Karmachari Sanghatna through its Secretary,
Kailas S/o Tukaram Harkal & Ors. V/s. State of Maharashtra & Ors.)**

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Shri Prasad D. Jarare, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue simple notice to respondents, returnable on 4.11.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. 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.
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 4.11.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST. NO. 1480 OF 2022
(Dr. Pranita Prakash Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **7.9.2022**

ORAL ORDER :

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

2. The applicant Nos. 1, 2 & 4 belong to Open Category, applicant No. 3 belongs to N.T. (D/3), applicant No. 5 belongs to S.T. category and applicant No. 6 belongs to N.T. (B) category and applicant Nos. 1, 2 & 3 possess the qualification of M.B.B.S. and P.G. diploma and applicant Nos. 4, 5 & 6 possess qualification of M.B.B.S..

3. Up to the year 2010, the Medical Officer (Class-II) from Public Health Department had been working on deputation on establishment of Directorate of Medical Education & Research (in brief, 'DMER'). However, thereafter, a policy decision was taken by Public Health Department to recall such Medical Officers to meet requirement of its Public Health Service Centres. As it was going to take some time to make necessary arrangement for regular recruitment of Medical Officers through Maharashtra Public Service Commission (in short, MPSC), respondent no. 1 issued a Government Resolution dated 1.7.2010 elaborating policy and procedure for ad-hoc appointment of Medical Officers Class-II. In that

connection it was stipulated that a Selection Committee be constituted as per the GR dated 10.8.2001, which was issued for appointment of Assistant Professors etc. and procedure prescribed therein be followed for the purpose.

4. Accordingly, respondent no. 5 appointed first batch of 43 Medical Officers on ad-hoc basis by issuing advertisement on 17.2.2011. He also issued subsequent advertisements on 20.11.2013, 20.11.2014, 22.3.2018, 24.5.2019, 26.8.2019 and 22.4.2021 for appointment of 27, 2, 2, 9, 3 and 6 Medical Officers on ad-hoc basis. Such appointments were generally for initial period of 120 days extendable for another 364 days with a technical break. The applicants claim that they have worked on ad-hoc basis as Medical Officer, Grade-I (Class-II) till date.

5. It is the grievance of the applicants that now the Recruitment Rules are framed in March, 2022 and according to the said Recruitment Rules the process of recruitment has been commenced by issuing advertisement dated 22.7.2022 in that regard. Applicants have, however, not submitted copy of Recruitment Rules of March, 2022. In the said advertisement for the Open Class Category candidates upper age limit is prescribed as 38 years. Applicant are within upper age limit and have applied for the subject post subject to outcome of this O.A. It is further grievance of the applicants that they have not been regularized and now under the threat of discontinuation.

6. Learned counsel for the applicants has brought to our notice that similarly situated other candidates have approached the Single Bench of this Tribunal with a request for regularization of their services and the judgment is delivered by the Single Bench on 18.8.2022

directing the respondents to regularize the services of the applicants therein. In the aforesaid circumstances, the applicants have filed the present O.A. with a prayer for regularization of their services with consequential benefits. The applicants have prayed for interim relief thereby requesting to direct the respondents to keep six posts vacant till decision of the present O.A. and not to discontinue the applicants till then.

7. Learned counsel appearing for the applicants submits that the applicants were having an option to file the Original Application with a prayer for regularization of their services as were filed by the similarly situated other Medical Officers. Learned counsel further submitted that however, in view of the subsequent developments, more particularly that the recruitment process has now commenced and if the new recruitees are appointed the natural consequence of it will be retrenchment or removal of the present applicants. Learned counsel further submitted that in the circumstances the applicants have approached this Tribunal with the prayer of regularization, as well as, for restraining the respondents from discontinuing the services of the applicants and to keep six posts vacant till decision of the present Original Application.

8. Learned Chief Presenting Officer has sought time to file affidavit in reply on behalf of the respondents. It is further submitted that for want of information the statement also cannot be made on behalf of the respondents as about the progress in the recruitment process.

9. We have carefully considered the submissions advanced by the learned counsel appearing for the applicant and the learned Presenting Officer.

10. From the record it is quite evident that the applicants were duly selected by the Divisional Selection Committee in the year 2011, 2014, 2013, 2018, 2019 & 2021 respectively and since then they are discharging their duties on the subject post. From the record it also reveals that at the relevant time the recruitment of the applicants were made on the basis of the G.R. dated 10.8.2001 r/w G.R. dated 1.7.2010. It is further claimed by applicant that at the relevant time there were no Recruitment Rules framed insofar as recruitment of Medical Officer in the Medical Colleges are concerned and the Recruitment Rules are claimed to have been framed in March, 2022 and thereafter for the first time the recruitment process has been commenced. The applicants are within upper age limit as prescribed for applying for the subject post. In the similar facts and circumstances, the Division Bench of the Hon'ble Bombay High Court Bench at Nagpur in W.P. No. 2046/2010 had granted relief to the similarly placed candidates. It further appears that when the applicants had worked on the subject post for more than 11, 9, 5, 4, & 2 years respectively, their services need to be protected. As such, we find that there is *prima facie* case made out by the applicants and if no interim relief is granted their rights are likely to be prejudicially affected. It is to be further stated that in fact, the appropriate remedy for the applicants would have been to file the O.A. only with a prayer of regularization of services as has been done by their colleagues. However, the reason for not adopting the said course has been explained by the learned counsel. In

the circumstances, we deem it appropriate to pass the following order: -

ORDER

- (i) Issue notices to the respondents, returnable on 29.09.2022.
- (ii) Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- (iii) 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.
- (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 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.
- (vi) **The respondents are directed not to discontinue the services of the applicants until further orders of this Tribunal.**
- (vii) S.O. to 29.09.2022.
- (viii) Steno copy and hamdust granted to both parties.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST.NO. 1482 OF 2022
(Dr. Dharamraj A. Dudde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : **7.9.2022**

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned counsel for the applicant Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. The applicant No.1 belongs to OBC Category and applicant Nos. 2 & 3 belong to Open Category and they possess the qualifications of M.B.B.S. and diploma in DCH.

3. Up to the year 2010, the Medical Officer (Class-II) from Public Health Department had been working on deputation on establishment of Directorate of Medical Education & Research (in brief, 'DMER'). However, thereafter, a policy decision was taken by Public Health Department to recall such Medical Officers to meet requirement of its Public Health Service Centres. As it was going to take some time to make necessary arrangement for regular recruitment of Medical Officers through Maharashtra Public Service Commission (in short, MPSC), respondent no. 1 issued a Government Resolution dated 1.7.2010 elaborating policy and procedure for ad-hoc appointment of Medical Officers Class-II. In that connection it was stipulated that a Selection Committee be constituted as per the GR dated 10.8.2001, which was

issued for appointment of Assistant Professors etc. and procedure prescribed therein be followed for the purpose.

4. Accordingly, respondent no. 5 appointed first batch of 43 Medical Officers on ad-hoc basis by issuing advertisement on 17.2.2011. He also issued subsequent advertisements on 20.11.2013, 20.11.2014, 22.3.2018, 24.5.2019, 26.8.2019 and 22.4.2021 for appointment of 27, 2, 2, 9, 3 and 6 Medical Officers on ad-hoc basis. Such appointments were generally for initial period of 120 days extendable for another 364 days with a technical break. The applicants claim that they have worked on ad-hoc basis as Medical Officer, Grade-I (Class-II) till date.

5. It is the grievance of the applicants that now the Recruitment Rules are framed in March, 2022 and according to the said Recruitment Rules the process of recruitment has been commenced by issuing advertisement dated 22.7.2022 in that regard. Applicants have, however, not submitted copy of Recruitment Rules of March, 2022. In the said advertisement for the Open Class Category candidates upper age limit is prescribed as 38 years. Applicant are within upper age limit and have applied for the subject post subject to outcome of this O.A. It is further grievance of the applicants that they have not been regularized and now under the threat of discontinuation.

6. Learned counsel for the applicants has brought to our notice that similarly situated other candidates have approached the Single Bench of this Tribunal with a request for regularization of their services and on 18.8.2022 the judgment is delivered by the Single Bench directing the respondents to regularize their services of the applicants therein. In the aforesaid circumstances, the

applicants have filed the present O.A. with a prayer for regularization of their services with consequential benefits. The applicants have prayed for interim relief thereby requesting to direct the respondents to keep three posts vacant till decision of the present O.A. and not to discontinue the applicants till then.

7. Learned counsel appearing for the applicants submits that the applicants were having an option to file the Original Application with a prayer for regularization of their services as were filed by the similarly situated other Medical Officers. Learned counsel further submitted that however, in view of the subsequent developments, more particularly that the recruitment process has now commenced and if the new recruits are appointed the natural consequence of it will be retrenchment or removal of the present applicants. Learned counsel further submitted that in the circumstances the applicants have approached this Tribunal with the prayer of regularization, as well as, for restraining the respondents from discontinuing the services of the applicants and to keep three posts vacant till decision of the present Original Application.

8. Learned Chief Presenting Officer has sought time to file affidavit in reply on behalf of the respondents. It is further submitted that for want of information the statement also cannot be made on behalf of the respondents as about the progress in the recruitment process.

9. We have carefully considered the submissions advanced by the learned counsel appearing for the applicant and the learned Presenting Officer.

10. From the record it is quite evident that the applicants were duly selected by the Divisional Selection Committee in the year 2011, 2014, 2013, 2018, 2019 & 2021 respectively and since then they are discharging their duties on the subject post. From the record it also reveals that at the relevant time the recruitment of the applicants were made on the basis of the G.R. dated 10.8.2001 r/w G.R. dated 1.7.2010. It is further claimed by applicant that at the relevant time there were no Recruitment Rules framed insofar as recruitment of Medical Officer in the Medical Colleges are concerned and the Recruitment Rules are claimed to have been framed in March, 2022 and thereafter for the first time the recruitment process has been commenced. The applicants obviously cannot participate in the said selection process for the reason that they have crossed upper age limit prescribed for applying for the subject post. In the similar facts and circumstances, the Division Bench of the Hon'ble Bombay High Court Bench at Nagpur in W.P. No. 2046/2010 had granted relief to the similarly placed candidates. It further appears that when the applicants had worked on the subject post for more than 2 years, their services need to be protected. As such, we find that there is *prima facie* case made out by the applicants and if no interim relief is granted their rights are likely to be prejudicially affected. It is to be further stated that in fact, the appropriate remedy for the applicants would have been to file the O.A. only with a prayer of regularization of services as has been done by their colleagues. However, the reason for not adopting the said course has been explained by the learned counsel. In the circumstances, we deem it appropriate to pass the following order: -

ORDER

- (i) Issue notices to the respondents, returnable on 29.09.2022.
- (ii) Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
- (iii) 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.
- (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 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.
- (vi) **The respondents are directed not to discontinue the services of the applicants until further orders of this Tribunal.**
- (vii) S.O. to 29.09.2022.
- (viii) Steno copy and hamdust granted to both parties.

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO. 381/2022 IN O.A.ST.NO. 1482/2022
(Dr. Dharmaraj A. Dudde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned counsel for the applicant Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. This is an application preferred by the association seeking leave to sue jointly in representative capacity.

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)

VICE CHAIRMAN

ORAL ORDERS 07.09.2022-HDD

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO. 380/2022 IN O.A.ST.NO. 1480/2022
(Dr. Dharmaraj A. Dudde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

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

2. This is an application preferred by the association seeking leave to sue jointly in representative capacity.

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)

VICE CHAIRMAN

ORAL ORDERS 07.09.2022-HDD

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 772 OF 2022
(Moreshwar Dadabhau Nawale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Shri Avinash S. Khedkar, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. It is the grievance of the applicant that his pension has been revised on the ground that it was inadvertently fixed on higher side and the recovery is also proposed. The said order whereby the pay has been revised is sought to be quashed and set aside in the present Original Application. Learned counsel has sought interim relief to stay effect and operation of the said order.

3. The learned P.O. has sought time to file the affidavit in reply on behalf of the respondents. The learned P.O. submitted that in absence of instructions from the respondents she is unable to make any submission on merit.

4. We have gone through the documents filed on record. The applicant is seeking quashment of the

order, whereby the pay of the applicant has been revised by way of interim relief. In fact, the main relief sought by the applicant is quashment of the said order and recovery consequent thereupon. Granting any such relief as prayed by the applicant would amount to granting final relief at the interim stage. However, no such case is made out by the applicant. Whether the pay has been revised in accordance with law, whether the pay could have been revised, at this stage are the issues, which cannot be decided unless other side is given an opportunity of filing its say. In the circumstances, though we are not inclined to stay the execution and operation of the impugned order at this interim stage, we deem it appropriate to restrain the respondents from effecting any recovery on the basis of the said order. Hence, the following order :-

ORDER

- (i) Issue notice to the respondents, returnable on 3.10.2022.
- (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) The respondents are restrained to recover any amount as mentioned in the communication dated 21.7.2022 until further orders from this Tribunal.

(vii) S.O. to 3.10.2022.

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

MEMBER (A)

VICE CHAIRMAN

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

M.A.NO. 378/2022 IN O.A.ST.NO. 1470/2022
(Mujeebkhan M. Pathan & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Ms. Pradnya Talekar, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

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

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 07.09.2022-HDD

FARAD CONTINUATION SHEET
THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD

ORIGINAL APPLICATION ST.NO. 1470 OF 2022
(Mujeebkhan M. Pathan & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 07.09.2022

ORAL ORDER :

Heard Ms. Pradnya Talekar, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The learned counsel for the applicants seeks leave to add the names of 2 candidates out of 45 whose names are mentioned in Annex. A to communication dated 29.8.2022 as the respondents. The learned counsel submitted that these names are being added in the representative capacity. Leave granted as prayed for. The necessary amendment be carried out forthwith.

3. By filing the present Original Application the applicants are challenging the provisional seniority list published on 13.7.2022 fixing inter se seniority of the Junior Engineers, who are absorbed in Government service pursuant to the Government Resolution dated 14.7.1998 on the basis of the date of their actual joining, contrary to the mandate of the said Government Resolution. Learned counsel for the

applicants pointed out that the applicants had raised an objection in that regard with the Government authorities and the Government authorities have in fact accepted the grievance of the applicants. However, subsequent conduct of the said authorities is contrary to the assurances given by them. The learned counsel for the applicants submitted that the process has now been commenced to promote the Junior Engineers to the post of Sub Divisional Officer (Civil). The learned counsel further submitted that appointments are likely to be made of the persons, who are junior to the present applicants.

4. The learned counsel pointed out that in the similar set of facts and circumstances the principal seat of this Tribunal at Mumbai has entertained the application and while issuing notice to the respondents in the said matter has also granted interim relief. Copy of the said order is placed on record.

5. The learned CPO sought time for filing the affidavit in reply. He further submitted that if at all this Tribunal is intend to grant the interim relief as has been prayed by the applicants, it shall not be to the effect that "02 posts shall be kept vacant till decision of the present O.A.". The learned C.P.O. submitted that instead of aforesaid relief the Tribunal may order that "the appointments/promotions made, if any, shall be subject to outcome of the present O.A."

6. We have perused the documents filed on record more particularly GR dated 14.7.1998, seniority list prepared on the basis of the said GR and the final seniority list prepared on 13.7.2022. We also perused the letter dated 12.8.2022. On perusal of the aforesaid documents it is apparently revealed that in the subsequent seniority list prepared and published the names of the persons, who are junior to the present applicants, are shown above them. Prima-facie case is therefore made out by the applicants. It is the apprehension in the mind of the applicants that in pursuance of the letter dated 29.8.2022 the appointments may be issued to the candidates named in Annex. 'A' to the said letter. The applicants have therefore prayed for the interim relief thereby directing the respondents to keep 02 posts vacant in the promotional cadre.

7. On query it was informed by the learned counsel that there are many more candidates who are having the same grievance as of the applicants that the names of their juniors are shown above in the final seniority list.

8. In view of the fact as aforesaid it does not appear to us that directing the respondents to keep 02 posts vacant would be appropriate relief in the present matter. It appears to us that having regard to the urgency in the present matter the respondents can be directed to first file their response to the interim relief and after receiving the said response the request for

interim relief can be adjudicated, off course till then the respondents need to be restrained from issuing any order of promotion. In the aforesaid circumstances, we pass the following order :-

ORDER

(i) Issue notice to the respondents, returnable on 22.9.2022.

(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) The respondents shall in any case file the affidavit in reply in regard to the prayer of the interim relief made by the applicants by the next date and till then the respondents shall not issue any order of promotion.

(vii) S.O. to 22.9.2022.

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

MEMBER (A)

VICE CHAIRMAN

