

M.A.NO. 5 OF 2021 IN O.A.ST.NO. 778 OF 2020
(Shridhar S/o Ramrao Kundatwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

O R D E R

This application is made seeking condonation of delay of about 10 months and 27 days caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 challenging the impugned order of removal of the applicant from service dated 09.12.2013 (Annexure -4 in the O.A.) as well as impugned communication/order dated 21.09.2018 (Annexure -11) issued by the respondent No.2 refusing to reinstate the applicant in service and seeking benefit of exemption from passing departmental

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examination like similarly situated 12 other candidates.

2. The applicant was appointed as a Jailor Grade-II (Non Gazetted), Class-‘C’ employee by the respondent No.1 vide order dated 30.09.2003 and was posted at Aurangabad. Subsequently he was transferred at various places where he worked. As per Rule 3(3) (b) of the Departmental Examination Rules, the applicant ought to have cleared departmental examination within a period of two years from the date of appointment. However due to reasons such as conducting examination beyond stipulated period, advance age, physical restriction of about writing skills, the applicant could not clear the departmental examination. The applicant continued to work

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and discharge his duties unblemishly for about 10 years. The applicant however, was removed from service by impugned order dated 09.12.2013 (Annexure-4) without considering detailed reply given by him to show cause notice dated 21.09.2013 served upon him.

3. Being aggrieved by the said impugned order of removal dated 09.12.2013, the applicant filed Original Application No. 20 of 2014 before the Maharashtra Administrative Tribunal, Mumbai along with other Original Application No. 21/14 and other such Original Applications filed by the similarly situated candidates. All the Original Applications were dismissed; thereby injustice was caused to the applicant and others.

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4. The Applicant in Original Application No. 21/2014 namely Ajay Vishwanath Sirekar filed Writ Petition No. 1556/2015. In order dated 31.05.2015 (Annexure -8 collectively) passed in said Writ Petition No. 1556/2015, the Petitioner therein was granted relief against coercive action.

5. The applicant also preferred Writ Petition No. 11471/2015. The said Writ Petition is dismissed by order dated 25.07.2017 (part of Annexure -8 collectively in O.A.) allowing the applicant to withdraw the said Writ Petition with liberty to file representation.

6. The applicant filed his representation dated 06.08.2018 (Annexure -9). The same is rejected

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by impugned order dated 21.09.2018 (Annexure-11) without considering the fact that the similarly situated candidates were granted exemption from passing departmental examination and their services were protected. Only the applicant is not protected though he is similarly situated candidate. In the circumstances, he has filed the present delay condonation application along with the present accompanied Original Application. There is delay. However, the same is not deliberate. In fact the applicant had made another representation dated 26.09.2018 for consideration and reminder dated 18.02.2019. Hence this application.

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7. In spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents.

8. We have heard the arguments advanced by Shri R.D. Biradar, learned Advocate for the applicant on one hand and Shri V.R. Bhumkar, learned Presenting Officer representing the respondents on other hand.

9. Perusal of the Original Application would show that it is filed on 19.08.2020 along with this delay condonation. Thereby the applicant has challenged his order of removal from service dated 09.12.2013 (Annexure -4) and order/communication dated 21.09.2018 (Annexure -11) rejecting his representation. The applicant has come out with the contention that similarly situated candidates have been granted

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relief of reinstatement as well as exemption from departmental examination and has produced on record certain documents. Those documents are required to be considered which can be done at the time of hearing of the Original Application upon registration.

10. Considering the date of impugned order of removal of the applicant from service which is also challenged in the Original Application, there is much more delay. Further it appears that in the past immediately after his removal, the applicant had challenged the said order. Against dismissal of the Original Applicant, he preferred Writ Petition which is disposed of by order dated 25.07.2018 as withdrawn and granting liberty to the applicant to file representation. In the

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circumstances, maintainability of Original Application also may arise but that can be considered at the hearing of it. The applicant is out of service. In view of the same, in our considered opinion, this is a fit case to condone the delay by taking liberal view. Refusing to the condone delay is likely to defeat the cause of justice at the threshold. In view of the same, the delay days caused in filing the accompanying Original Application is condoned by imposing moderate costs upon the applicant. We compute the costs of Rs.1,000/- (One Thousand only) on the applicant and proceed to pass the following order: -

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ORDER

The Misc. Application No. 5/2021 is allowed in following terms:-

- (A) The delay caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1000/- (One Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.
- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in

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to account other office objection/s, if any.

MEMBER (A)

MEMBER (J)

M.A.NO. 51 OF 2019 IN O.A.ST.NO. 354 OF 2017
(Ashruba Bhaguji Jaybhaye Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORDER

This application is made seeking condonation of delay of about 2 years 8 months and 11 days caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 challenging order/communication dated 05.07.2013 (Exh. 'D') issued by the respondent No.1 to respondent No.3 whereby explanation of respondent No.3 is called as to why at it's level the voluntary retirement notice dated 27.05.2012 given by the applicant was not rejected for want of 20 years qualifying service required for seeking voluntary

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M.A.51/2019 In
O.A.St.354/2017

retirement and also mentioning that the applicant's voluntary retirement cannot be accepted.

2. The applicant submits that he came to know about the said communication/order dated 05.07.2023 (Exh. 'D') only when he visited the office for making enquiry about as to what happened to his voluntary retirement notice dated 27.05.2012. Immediately thereafter, he filed Original Application on or about 14.03.2017. Office objections were raised. For want of removal of office objections, the registration was refused by order dated 28.04.2017. In between the applicant had undergone Bypass Surgery. Therefore, he could not take necessary steps. He preferred Chamber

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M.A.51/2019 In
O.A.St.354/2017

Appeal seeking to remove office objections which was allowed by office order dated 09.01.2019. Thereafter this delay condonation application is filed on or about 02.02.2019.

3. Application is resisted by filing affidavit in reply on behalf of the respondent Nos. 1 to 4 by one Rohidas Vedu Padvi working as In-charge Chief Administrative Officer in the office of Deputy Director of Health Services, Nashik Circle, Nashik. Thereby he denied the adverse contentions raised in the applicant and contended that no sufficient cause is shown for condoning the delay. Hence, applicant is liable to be dismissed.

4. We have heard the arguments advanced by Smt. Renuka Ghule, learned Advocate for the

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M.A.51/2019 In
O.A.St.354/2017

applicant on one hand and Smt. Deepali S. Deshpande, learned Presenting Officer representing the respondents on other hand.

5. After having considered the facts of the case, it is evident that the applicant is challenging the order of refusal of voluntary retirement. The applicant has contended that he has not received any communication as regards his voluntary retirement notice dated 27.05.2012. Upon visit to the office, he came across this impugned communication dated 05.07.2013, wherefrom it get informed that voluntary retirement is refused.

6. Even if the contention of the respondents is taken into consideration, the applicant said to have worked regularly from 16.12.1994 and was

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M.A.51/2019 In
O.A.St.354/2017

in service till he gave notice of voluntary retirement dated 27.05.2012. In view of the same, the case of the applicant requires consideration which is possible only by hearing the Original Application. It cannot be said that there is absolutely no merit in the case pleaded by the applicant in the Original Application.

7. In such circumstances, in our considered opinion, refusing to the condone delay is likely to defeat the cause of justice at the threshold. If the date of filing of Original Application is considered, the delay is in the vicinity of 2 years and 8 months and if the delay condonation application is considered, as of 02.02.2019, it is in the vicinity of 4 years. However, the applicant has pleaded that he has undergone

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M.A.51/2019 In
O.A.St.354/2017

Bypass Surgery after filing of Original Application. Hence, in our considered opinion, this is a fit case to condone the delay by taking liberal approach and by imposing moderate costs upon the applicant. We compute the costs of Rs.1,000/- (One Thousand only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 51/2019 is allowed in following terms:-

- (A) The delay caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1000/-

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M.A.51/2019 In
O.A.St.354/2017

(One Thousand only) by the applicant.

The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (A)

MEMBER (J)

M.A.NO. 157 OF 2023 IN O.A.NO. 1007 OF 2019
(Mustafa Dastagir Khonde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023.

ORDER

This application is made seeking restoration of Original Application No. 1007/2019 by setting aside the order of dismissal dated 01.12.2022 by condoning the delay of 2 months and 27 days.

2. The Original Application is filed seeking relief such as promotion to the post of Tahsildar holding that Maharashtra Probationary Naib Tahsildar Departmental Examination Rules, 2000 are not applicable to the applicant as he was absorbed from the post of Small Saving officer from Finance Department to the post of

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M.A.157/2023 In
O.A.1007/2019

Naib Tahsildar and seeking exemption from passing such departmental examination as he has completed 50 years of age.

3. After issuance of notices, it appears that the matter was adjourned from time to time. Amendment in the Original Application was also sought for. Matter was fixed for hearing without reply. Thereafter, it came to be dismissed in default by order dated 01.12.2022.

4. It is submitted that due to some unavoidable circumstances, the applicant and his Advocate could not remain present. There is some communication gap on the part of the applicant. The applicant has good case on merit. Hence, this application.

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M.A.157/2023 In
O.A.1007/2019

5. We have heard the arguments advanced by Shri B.S. Doifode, learned Advocate holding for Shri K.R. Doke, learned Advocate for the applicant on one hand and Smt. M.S. Patni, learned Presenting Officer representing the respondents on other hand.

6. From record it appears that some negligence is attributable to the applicant and his Advocate who failed to remain present at the time of hearing of the Original Application. Considering the nature of relief sought for, in our considered opinion, it would be just and proper to give fair opportunity to the applicant to be in the matter by restoring Original Application for hearing by condoning the delay and by taking liberal view and imposing moderate costs upon

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M.A.157/2023 In
O.A.1007/2019

the applicant. We compute the costs of Rs.1,000/- (One Thousand only) on the applicant and proceed to pass the following order: -

ORDER

- (A) The Misc. Application No. 157/2023 is allowed.
- (B) The order of dismissal dated 01.12.2022 passed in O.A.No. 1007/2019 is hereby set aside by condoning the delay of 2 months and 27 days caused in filing restoration application and the Original Application is restored under its original number subject to payment of costs of Rs. 1000/- (One Thousand only) by the applicant.
- (C) The amount of costs shall be deposited in the Registry of

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M.A.157/2023 In
O.A.1007/2019

this Tribunal within a period of one month
from the date of this order.

MEMBER (A)

MEMBER (J)

M.A.NO. 396/2022 IN O.A.ST.NO. 1438/2022
(Mohammad Hafiz Ur Ibadur Raheman Vs. State of Maharashtra
& Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

O R D E R

This application is made seeking condonation of delay of about 4 years and 9 months caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 seeking relief to consider the temporary service rendered by the applicant w.e.f. 19.06.1989 to 08.03.1999 as qualifying service for grant of pension and pensionary benefits and all other consequential service benefits.

2. The applicant is retired from service on 30.06.2015 from the office of respondent No.4 on

//2// M.A.396/2022 In
O.A.St.1438/2022

the post of Accounts Clerk. Pension is granted to the applicant. Thereafter, the Government of Maharashtra issued G.R. dated 07.10.2016, thereby issuing certain guidelines for counting of temporary service for grant of Time Bound Promotion/ Assured Career Progression Scheme to the employees.

3. The Hon'ble Tribunal has been pleased to allow the identical Original Applications filed by his batchmate namely K.G. Ghumre bearing Original Application No. 550/2019 by order dated 23.11.2021. In that regard, news was published in the newspaper. The applicant got knowledge of the said order of the Tribunal in first week of March, 2022. He, thereafter, made representation dated 07.03.2022 to the

//3// M.A.396/2022 In
O.A.St.1438/2022

respondent No.4 seeking counting of temporary service as qualifying service from the year 1989 to 1999. The said representation is not yet decided. He, therefore, filed the accompanying Original Application along with this delay condonation application. The delay is not deliberate. The applicant is deprived of his legitimate dues towards pension and other service benefits. Hence this application.

4. Affidavit in reply is filed on behalf of the respondent Nos. 1 to 4 thereby delay condonation application is resisted contending that sufficient cause is not shown.

5. We have heard the arguments advanced by Shri K.B. Jadhav, learned Advocate for the applicant on one hand and Shri D.R. Patil,

//4// M.A.396/2022 In
O.A.St.1438/2022

learned Presenting Officer representing the respondents on the other hand.

6. The accompanied Original Application is filed on 30.08.2022. The applicant seeks to rely upon the decision of this Tribunal dated 23.11.2021 passed in the Original Application No. 550/2019 filed by the batchmate of the applicant. The applicant retired on 30.06.2015. In between one and half years, some time was consumed in Covid-19 pandemic situation. The delay cannot be said to be deliberate one. Some negligence can be attributed to the applicant in not approaching the Tribunal in time and acting as a fence sitter. However, the said negligence cannot be said to be deliberate or gross one. Hence in our considered opinion, this is a fit

//5// M.A.396/2022 In
O.A.St.1438/2022

case to condone the delay by taking liberal approach and by imposing moderate costs upon the applicant. We compute the costs of Rs.2,000/- (Two Thousand only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 396/2022 is allowed in following terms:-

- (A) The delay caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 2000/- (Two Thousand only) by the applicant. The amount of costs shall be

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M.A.396/2022 In
O.A.St.1438/2022

deposited in the Registry of this
Tribunal within a period of one month
from the date of this order.

- (B) Upon satisfaction of the costs as above, the
accompanying O.A. be registered and
numbered by taking in to account other
office objection/s, if any.

MEMBER (A)

MEMBER (J)

**M.A.NO. 103/2020 IN O.A.ST.NO. 146/2020
(Ramchandra Namdeorao Palmate Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 07.06.2023

ORDER

This application is made seeking condonation of delay of about 10 years, 10 months and 17 days caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 seeking to challenge his order of dismissal from service dated 20.02.2019 (Annexure 'A-18') issued by the respondent No.2 i.e. the Deputy Director of Land Records, Aurangabad Region, Aurangabad and seeking service benefit from the date of dismissal till he retired on superannuation on 24.07.2018.

//2// M.A.103/2020 In
O.A.St. 146/2020

2. After issuance of impugned order of dismissal of the applicant dated 20.02.2009, the applicant approached the Labour Court at Nanded by filing complaint (Unfair Labour Practice) bearing No. 52/2009. His said complaint was allowed by order dated 11.02.2016. The respondents challenged the said order dated 11.02.2016 by filing revision (ULP) No. 17/2016 before the Industrial Court, Jalna. The said revision was decided by order dated 05.02.2019 and the case was remanded to the Labour Court to decide. The Labour Court by judgment and order dated 03.12.2019 held that it had no jurisdiction and returned the complaint.

3. In view of the above, the applicant collected necessary documents and thereafter filed

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M.A.103/2020 In
O.A.St. 146/2020

accompanied Original Application. However, there is a delay. The delay is not deliberate. Time was consumed in prosecuting the remedy bonafide. Hence, this application.

4. Affidavit in reply is filed on behalf of respondent Nos. 1 to 5 jointly and on behalf of respondent No.6 separately. Thereby delay condonation application is resisted stating that no sufficient cause is shown for condonation of delay.

5. We have heard the arguments advanced by Shri V.P. Golewar, learned Advocate for the applicant on one hand and Shri M.S. Mahajan, learned Chief Presenting Officer representing the respondents on other hand.

//4// M.A.103/2020 In
O.A.St. 146/2020

6. The accompanied Original Application along with this delay condonation application is filed on or about 21.01.2020. The order under challenge is order of dismissal of the applicant dated 20.02.2009. Some considerable period was consumed in seeking redressal against the said order before the forum of Labour Court and Industrial Court from 2009 to 03.12.2019. The applicant was pursuing remedy bonafide. In view of the same, the said period is required to be exempted. In view of that the delay would hardly be about two months. The applicant is facing penalty of dismissal, which requires consideration in the Original Application. In the circumstances, we hold that this is a fit case to condone the delay

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M.A.103/2020 In
O.A.St. 146/2020

by taking liberal approach. Hence, following
order: -

ORDER

The Misc. Application No. 103/2020 is
allowed in following terms:-

- (A) The delay caused in filing the
accompanying O.A. under Section 19
of the Administrative Tribunals Act,
1985 is hereby condoned.
- (B) The accompanying O.A. be
registered and numbered by taking in
to account other office objection/s, if
any.
- (C) No order as to costs.

MEMBER (A)

MEMBER (J)

M.A.NO. 304/2020 IN O.A.ST.NO. 1095/2020
(Abhay Ambadas Kulkarni Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023.

ORDER

This application is made seeking condonation of delay of about 9 years, 8 months and 3 days caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 seeking to challenge impugned communication/order dated 03.012.2016 (Annexure 'L') rejecting representation of the applicant dated 28.10.2016 seeking absorption and reinstatement in service as a Lecturer in Department of Electronics, Government Polytechnic of the State of Maharashtra by setting aside his order of removal dated 10.02.2011.

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M.A.304/2020 In
O.A.St.1095/2020

2. It is the contention of the applicant that though his representation was rejected by order /communication dated 03.12.2016 (Annexure 'L'), the applicant was facing acute financial difficulties. As per advice received by the applicant, the applicant filed W.P.No. 6075/2019 on or about 20.06.2018 before the Hon'ble High Court at judicature at Bombay. During hearing of the said Writ Petition, it was transpired that the applicant has a remedy before this Tribunal. The said Writ Petition came to be disposed of by order dated 28.01.2020 granting liberty to the applicant to approach this Tribunal.

3. Thereafter, some time was consumed in collecting some important documents required for filing this Original Application.

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M.A.304/2020 In
O.A.St.1095/2020

Since, March 2020 thereafter Covid-19 pandemic situation was prevailing. In view of the same, there is delay in filing the accompanying Original Application which was filed on or about 12.10.2020. The delay is not deliberate.

4. In spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents.

5. We have heard the arguments advanced by Ms. Priyanka Deshpande, learned Advocate for the applicant on one hand and Shri S.K. Shirse, learned Presenting Officer representing the respondents on other hand.

6. From the Original Application, it appears that the applicant is challenging his order of removal dated 10.02.2011 and seeking

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M.A.304/2020 In
O.A.St.1095/2020

regularization in service in view of the decision of the Hon'ble High Court of judicature at Bombay Bench at Nagpur in Writ Petition No. 2046/2010 in the matter of **Sachin Ambadas Dawale & Ors. Vs. the State of Maharashtra & Anr.** The applicant said to have made representation in that regard on 28.10.2016 (Annexure 'K') in respect of which impugned order/communication dated 03.12.2016 came to be issued.

7. Some time was consumed by the applicant in approaching the Hon'ble High Court during the period of June 2018 to January 2020. Accompanying Original Application along with this delay condonation application is filed on 12.10.2020.

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M.A.304/2020 In
O.A.St.1095/2020

8. The applicant in fact is challenging order of his removal. It is required to be considered. Legality of order requires to be considered which can be done by hearing Original Application. Moreover, after decision in his Writ Petition, Covid -19 pandemic situation erupted. Accompanying Original Application is filed in the month of October, 2020. In view of the same, in our considered opinion, this is a fit case to condone the delay considering the case of the applicant about his removal from service by imposing moderate costs upon the applicant. We compute the costs of Rs.1,000/- (One Thousand only) on the applicant and proceed to pass the

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M.A.304/2020 In
O.A.St.1095/2020

following order: -

ORDER

The Misc. Application No. 304/2020 is allowed in following terms:-

- (A) The delay caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1000/- (One Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.
- (B) Upon satisfaction of the costs as above, the accompanying O.A. be

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M.A.304/2020 In
O.A.St.1095/2020

registered and numbered by taking in to
account other office objection/s, if any.

MEMBER (A)

MEMBER (J)

C.P.NO. 30/2023 IN O.A.NO. 358/2022
(Kiran Vitthal Jagdale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Amol N. Kakade, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondent Nos. 2 & 3 in C.P., returnable on 05.07.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 05.07.2023.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 807 OF 2022
(Mohd Razakhan Mohd Abdul Sattarkhan Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 22.06.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 209/2023 IN O.A.ST.NO. 746/2023
(Shesherao G. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

None present on behalf of the applicant.
Shri M.S. Mahajan, learned Chief Presenting
Officer for the respondent authorities, is present.

2. In view of absence of learned Advocate for
the applicant, S.O. to 12.07.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 391 OF 2023
(Anand Shamrao Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Santosh S. Jadhavar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 13.07.2023.

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

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

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

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O.A. 391/2023

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. If any appointment is given as per selection list in favour of the applicant and respondent No.5, the same would be subject to outcome of this litigation.

8. S.O. to 13.07.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 397 OF 2023
(Shobha Ashok Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Nitin S. Kadarale, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 17.07.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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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. **Considering the facts and circumstances, if any steps are being taken in the selection process for giving appointment to respondent No.3 and applicant, the same would be subject to outcome of this litigation.**

8. S.O. to 17.07.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 409 OF 2023
(Mukesh S. Koshakewar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant seeks permission to join Dy. Director and Member Secretary, Scheduled Tribal Certificate Verification Committee, Aurangabad as party respondent No.4 as the applicant received Caste Certificate belatedly and ultimately the applicant is adversely affected. Liberty is granted to join the party respondent as prayed for. Amendment be carried out forthwith.

3. Issue notices to the respondents, returnable on 22.06.2023.

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

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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 22.06.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 808 OF 2023
(Ashish G. Vaishnav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 14.06.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 07.06.2023.

ORIGINAL APPLICATION ST.NO. 915 OF 2023
(Rajabhau R. Whavale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Amol R. Gaikwad, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. There is office objection of jurisdiction.
3. Learned Advocate for the applicant seeks permission to withdraw the Original Application with liberty to file it before the appropriate forum.
4. We have no reason to refuse permission to withdraw the Original Application. Hence, permission granted.
5. In view of the above, the Original Application stands disposed of as withdrawn with liberty to applicant to file fresh Original Application on the same cause of action before the appropriate forum. No order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 89 OF 2016
(Shaikh Ashraf Shaikh Sardar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant, Smt. Deepali S. Deshpande, M.P. Gude, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned Advocate for the respondent Nos. 2 to 4.

2. Learned Advocate for the applicant placed on record the papers of family pension to be received by the widow of the applicant.

3. Hence, nothing remains to be decided in the matter. Hence, the Original Application stands disposed of. No order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 203 OF 2023
(Aditi V. Banchod Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Santosh S. Jadhavar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 08.06.2023 for **urgent admission**.

MEMBER (A)

MEMBER (J)

M.A.NO. 213/2023 IN O.A.NO. 425/2020
(Sachin U. Shinde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri M.B. Bharaswadkar, learned Advocate for the respondent Nos. 5 to 7 & 11.

2. Learned C.P.O. seeks some further time for compliance of the directions issued as per farad sheet order dated 04.05.2023.

3. Further learned Advocate for the private respondents submitted that the order passed in O.A.No. 576/2015 which is referred to in farad sheet order dated 03.05.2023 was challenged by filing Writ Petition No. 2026/2019 by Assistant Conservators of Forest (ACF), who were affected by order in the said O.A. The said W.P. was allowed by order dated 23.04.2021. The Original applicant in O.A.No. 576/2015 challenged the

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M.A.213/23 In
O.A.425/2020

said order dated 23.04.2021 before the Hon'ble Supreme Court of India. The said Civil Appeal is dismissed by order dated 15.03.2023.

4. In view of the same, the order passed in O.A.No. 576/2015 as well as G.R. dated 14.08.2018 challenged in the said O.A. do not survive. He submitted that he has already placed on record the copies of orders in W.P.No. 2026/2019 and Civil Appeal No. 822/2023.

5. In view of the above, S.O. to 20.06.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 338 OF 2023
(Sachin U. Shinde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. S.O. to 20.06.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 364 OF 2023
(Dilip R. Adatrao Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri A.S. Bayas, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Await service of notice upon respondent No.4.

3. Learned P.O. is directed to ask the respondent No. 3 to accept notice on behalf of the respondent No. 4 and to serve duly on respondent No.4.

4. S.O. to 04.07.2023.

MEMBER (A)

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Ujjwal Patil, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents failing which the matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 05.07.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 105 OF 2021
(Smita K. Suryawanshi & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Smt. Vinaya Mule-Dharurkar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 08.06.2023 for final hearing. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 468 OF 2022
(Smita S. Ingle Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 21.06.2023 for hearing. Interim relief granted earlier to continue till then. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 613 OF 2022
(Rahul D. Sathe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri R.D. Khadap, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the respondent Nos. 6, 8, 11 to 13, 15, 17, 22, 24 & 26 to 28 and Shri A.D. Sugdare, learned Advocate for the respondent No. 29.

2. Record shows that affidavit in reply is filed only on behalf of the respondent No.2.
3. At the request made on behalf of other respondents, one more last chance is granted for filing affidavit in reply.
4. S.O. to 04.07.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 828 OF 2022
(Shailendra G. Sasane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Affidavit in reply filed on behalf of the respondent No.1 is taken on record and copy thereof has been served on the other side.
3. S.O. to 30.06.2023 for filing affidavit in rejoinder, if any.
4. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 55 OF 2021
(Arvind S. Bhavar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Shri P.S. Anerao, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 17.07.2023 as a last chance for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 221 OF 2021
(Subhash S. Jawadekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, affidavit in rejoinder is not filed on behalf of the applicant.

3. In view of the same, S.O. to 17.07.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 388 OF 2022
(Sunil P. Jaybhaye Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 13.07.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 393 OF 2022
(Deepak V. Chatap Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

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 13.07.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 441 OF 2022
(Gajanan A. Taralkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Shri P.S. Anerao, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 17.07.2023 as a last chance for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 07.06.2023.

ORIGINAL APPLICATION NO. 504 OF 2022
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Shri A.S. Deshpande, learned Advocate for the applicant has filed a **leave note**. Shri S.K. Shrise, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 19.07.2023 as a last chance for filing affidavit in rejoinder.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 700 OF 2022
(Sujay S. Gaydhane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Y.R. Shinde, learned Advocate holding for Shri R.R. Karpe, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

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 respondent Nos. 1 & 3.
3. S.O. to 12.07.2023.

MEMBER (A)

MEMBER (J)

M.A.NO. 418 OF 2022 IN O.A.NO. 640 OF 2022
(Dilipkumar R. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Shri S.V. Deshmukh, learned Advocate for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit in reply in M.A.

3. S.O. to 13.07.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 341 OF 2023
(Dr. Jayashree Eknathrao Bangar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

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

2. Issue fresh notice to the respondents, returnable on 13.07.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 13.07.2023.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

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

3. Learned Advocate for the applicant today placed on record short additional affidavit along with relevant documents. The same is taken on record.

4. S.O. to 09.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

M.A.NO. 173/2023 IN O.A.NO. 773/2022
(Mangala V. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

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

2. Record shows that on last occasion i.e. on 28.04.2023, time was granted as a last chance for filing affidavit in reply on behalf of the respondents, failing which the present M.A. will be heard along with O.A. finally. However, till date affidavit in reply is not filed in the Misc. Application.

3. Hence, the M.A. will be heard along with O.A. finally on 09.06.2023. Interim relief granted earlier in O.A.No. 773/2022 to continue till then. **High on board.**

MEMBER (A)

MEMBER (J)

**M.A.ST.NO. 1274/2022 IN M.A.NO. 35/2019 IN
O.A.ST.NO. 47/2019**

(Rajendra P. Ghanwat & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 07.06.2023

ORAL ORDER :

Heard Shri A.B. Chalak, learned Advocate for the applicants / intervenors in M.A.St.No. 1274/2022, Shri Vinod Joshi, learned Advocate for the applicant in M.A.No. 35/2019 in O.A.St.No. 47/2019 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 23.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 453 OF 2018
(Balasaheb R. Mendhekar & Ors. Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 454 OF 2018
(Balaji B. Budhwant & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicants in both the O.As, Shri M.P. Gude, learned Presenting Officer for the respondent authorities in both the O.As. and Shri S.S. Dambe, learned Advocate for the respondent Nos. 5 to 12 in O.A.No. 453/2018.

2. The present matters have already been treated as part heard.

3. S.O. to 19.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 299 OF 2019
(Rahul T. Pol & Ors. Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 463 OF 2021
(Payal P. Tathe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in both the O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in both the O.As.

2. O.A.No. 299/2019 has already been treated as part heard.
3. S.O. to 15.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri P.B. Rakhunde, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. S.O. to 11.07.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 07.06.2023.

ORIGINAL APPLICATION NO. 76 OF 2018
(Purushottam S. Andhale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, Shri L.M. Kulkarni, learned Advocate for the respondent Nos. 3 to 6 and Shri S.R. Shirsath, learned Advocate for the respondent Nos. 7 to 9.

2. S.O. to 11.07.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 213 OF 2018
(Balaji N. Sontakke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. S.O. to 11.07.2023. **High on board.**

MEMBER (A)

MEMBER (J)

M.A.NO. 332 OF 2022 IN O.A.NO. 742 OF 2022
(Ram H. Navtakke Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.340 OF 2022 IN O.A.NO.588 OF 2022
(Ramesh M. Chavan Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.341 OF 2022 IN O.A.NO.589 OF 2022
(Vijaykumar A. Naik Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.342 OF 2022 IN O.A.NO.590 OF 2022
(Shivaji R. Potdar Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.343 OF 2022 IN O.A.NO.591 OF 2022
(Khaja Lafitoddin Mohammad Hasnuddin & Ors. Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.344 OF 2022 IN O.A.NO.592 OF 2022
(Gangadhar S. Pentewad Vs. State of Maharashtra & Ors.)

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

and

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Sarvesh Naik, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these matters.

2. S.O. to 12.07.2023 for hearing M.A. with O.A.
High on board.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 380 OF 2022
(Bhaskar D. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Swapnil Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 13.07.2023 for hearing. **High on board.**

MEMBER (A)

MEMBER (J)

M.A.NO. 67/2021 IN O.A.ST.NO. 268/2021
(Chikkahayakanahalli D. Krishnaiah Setty Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned Advocate for the respondent No.4.

2. S.O. to 13.07.2023 for further consideration. **High on board.**

MEMBER (A)

MEMBER (J)

M.A.NO. 41/2022 IN O.A.NO. 458/2018
(Anita B. Kolgane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 13.07.2023 for hearing. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 07.06.2023

ORIGINAL APPLICATION NO. 925 OF 2022
(Vijaykumar P. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 07.06.2023

ORAL ORDER :

Heard Shri R.R. Kakani, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant submitted that since last two months the respondents have stopped paying even provisional pension to the applicants.

3. This Original Application is filed seeking directions in terms of prayer clause 17 (B) & (C) as follows:-

(B) The respondents may please be directed to take/finalize the decision in the departmental inquiry initiated against the applicant in view of order dt. 19.03.2021 & above representation.

(C) The respondents may please be directed to regularize the suspension leave period of the applicants nos. 01 & 02 & give all retirement, pension, pensionary and other consequential benefits along with any other benefits to which the applicants are entitled.

//2//

O.A.925/2022

4. During pendency of the Original Application, the departmental enquiry has been finalized and final order in respect of departmental enquiry is issued. Hence, prayer clause (B) in this regard does not survive.

5. The applicant, however, has not been granted regular pension and suspension period is not yet regularized. He submits that even the applicants are not getting provisional pension from last two months.

6. Learned Advocate for the applicant placed on record the copy of final order in D.E. dated 02.12.2022 by way of G.R. It is taken on record as part of this O.A. as last exhibit.

7. In view of above, the respondents are directed to decide the regularization of suspension period and to consider the retirement benefits in accordance with law within the period of eight weeks from the date of receipt of certified copy of this order. Accordingly, the Original Application stands disposed of. No order as to costs.

MEMBER (A)

MEMBER (J)

Order Matters						
10	MA146/20 with MASt418/20 In OAS419/20	Nanded	Adv.Gaurav L Deshpande (Maharashtra RajyaPashuSawardhanAbhiyantrikiKarmachariS anghatana)	MA for File O.A. in Representati ve Capacity on Behalf on Sanghatana	For Hearing	6.7.2023
11	MA165/21 In OA36/13	Latur	Adv.HemantSurve (Anil B Tirthkar)	M.A. For Restoration	For Hearing	7.7.2023
12	MA194/21 In OA497/19	A'bad	Adv.HemantSurve (Ravindra N Turukmane)	M.A. For I.R.	For Hearing	7.7.2023
13	MASt1274/22 In MA35/19 In OAS47/19	Latur	Adv.A.B. ChalakIn MASt1274/22 (Rajendra P Ghanwat&Ors.) <u>Adv.Vinod Joshi/Adv.K.B. Jadhav in MA35/19 in OAS47/19</u> (Balraj S Lanjile)	M.A. For Intervention	For Hearing With Office Objecti on	23.6.2023
14	MA212/23 In OA837/22	Dhule	Adv.S.M. Sangale (Manisha S Ahire)	M.A. For Amendment		28.7.2023
15	MA213/23 In OA425/20	A'bad	Adv.Sharad V Natu/ Adv.H.A. Joshi (Sachin U Shinde&Ors.) <u>Adv.M.B. Bharaswadkar for R.Nos.2 to 7 & 11 in OA425/20</u>	Seniority List		20.6.2023
16	OA338/23	A'bad	Adv.R.A. Joshi (Sachin U Shinde&Ors.)	Seniority	Notice of R.No.1 Return Await Service for R-2	20.6.2023
17	MA232/23 In OA387/22	A'bad	Adv.Vilas S Janephalkar (Ashwini S Jadhav&Ors.)	M.A. For I.R.		15.6.2023

Due Admission Matters						
38	CP34/22 In OA78/21	A'nagar	Adv.K.B. Jadhav (Shubhangi Y Pawale) <u>Adv.Anuradha S Mantri For R.No.2</u>	Contempt Petition	For Admission Reply Filed by R-1 & R-2	5.7.2023
39	OA308/20	Beed	Adv.Ameya N Sabnis (Ranjeet T Bhorje) <u>Adv.Mahesh B Ubale for R.No.3</u>	Selection/ Waiting List	For Hearing Reply Filed by R-2	12.7.2023
40	OA419/20	O'bad	Adv.S.S. Jadhavar (Ashish D Dhakane)	Departmental Enquiry/ Dismissal	For Admission Reply Filed by R-1 to R-3	12.7.2023
41	OA334/21	P'bhani	Adv.Jagdish K Bansod (Madhuri B Panzade) <u>Adv.S.B. Solanke for R.No.3</u>	Selection List	For Hearing Reply Filed by R-1 to R-3	13.7.2023
42	OA401/21	Nanded	Adv.Shamsunder B Patil (Ramreddy R Aitwar)	Major Punishment	For Hearing Reply Filed by R-1 to R-3	5.7.2023
43	OA569/21	Beed	Adv.K.B. Jadhav (Jagannath M Jadhav)	Show Cause Notice (Dismissal)	For Hearing Reply Filed by R-1 to R-4	13.7.2023
44	OA652/21	A'bad	Adv.S.D. Joshi (Sadashiv N Pohandulkar)	Revise Pay/ Benefit of ACPS/ Challenging the Condition in the Concerned G.R.	For Hearing Reply Filed by R-3 to R-5	19.6.2023
45	OA784/21	A'bad	Adv.Preeti R Wankhade (Raghunath L Bhadke)	Seniority List	For Hearing Reply Filed by R-1 to R-3	17.7.2023
46	OA82/22	A'bad	Adv.V.B. Wagh (Dattaram U Rathod)	Departmental Enquiry	For Hearing Reply Filed by Respondent	17.7.2023
47	OA442/22	A'bad	Adv.Kakasaheb B Jadhav (Shankar M Rathod)	Reversion	For Hearing Reply Filed by R-1 to R-3	17.7.2023

48	OA643/22	J'gaon	Adv.A.S. Deshpande (Raosaheb B Jangle)	Departmental Enquiry	For Hearing Reply Filed by R-1 & R-2	18.7.2023
49	OA685/22	J'gaon	Adv.S.R. Patil (Nagesh G Patil)	Departmental Enquiry	For Hearing Reply Filed by R-2 to R-4	18.7.2023
50	OA925/22	O'bad	Adv.R.R. Kakani (Vijaykumar P Kulkarni&Ors.)	Departmental Enquiry	For Hearing	Disposed of
Final Hearing Matters						
51	OA226/17	Latur	Adv.K.M. Nagarkar (Baliram S Kakade)	Voluntary Retirement/ Pensionary Benefits	Reply Filed by R-1 to R-5	14.7.2023
52	TA5/18 WP9261/18 with	A'bad	Adv.Nitin S Kadarale (Pravin C Janjal)	Selection/ Appointment	Reply Filed by R-2 & R-3	17.7.2023
53	TA6/2018 WP9314/18	A'bad	Adv.Abhay R Rathod (Prasanna R Raut&Ors)	Selection/ Appointment	Reply Filed by R-2 & R-3	17.7.2023
54	OA428/18	Nanded	Adv.V.B. Wagh (Sainath J Korpakwad&Ors.) <u>Adv.S.B. Mene for R.No.1</u>	Fixation of Pay & Consequential Benefits	Reply Filed by Respondent	17.7.2023
55	OA941/18	Dhule	Adv.V.B. Wagh (Dr.Neeta K Hatkar)	Challenging G.R.	Reply Filed by R-1 & R-2	17.7.2023
56	OA788/19	J'gaon	Adv.S.B. Bhosale (Santoshkumar A Kaul) <u>Adv.S.D. Dhongde for R.No.2</u>	Dismissal	Reply Filed by R-1 & R-2	13.7.2023
57	OA292/21	Nanded	Adv.S.S. Gangakhedkar/ (Kashinath H Devtule)	Appointment	Reply Filed by R-1 & R-2	13.7.2023
58	CPS104/23 In OA670/21	Dhule	Adv.V.B. Wagh (Gokul D Patil)	Contempt Petition		20.7.2023

59	CPS05/23 In OA671/21	Dhule	Adv.V.B. Wagh (Nitin S Bedse)	Contempt Petition		20.7.2023
60	CPS06/23 In OA672/21	Dhule	Adv.V.B. Wagh (Sanjaykumar M Sonawane)	Contempt Petition		20.7.2023
61	CPS07/23 In OA673/21	Dhule	Adv.V.B. Wagh (Rekha S Chavan(Lohar)	Contempt Petition		20.7.2023
Old Matters For Final Hearing Peremptorily at 03:00 P.M.						
1	OA146/16	N'bar	Adv.S.D. Kotkar (Rakesh A Thakre)	Promotion	<u>Part Heard</u> <u>For Final Hearing Peremptorily</u> Reply Filed by R-1 to R-3	6.7.2023
2	OA749/16	J'gaon	Adv.Talekar Associates(MadhaviAyyappan) (Sachi A Palkhe)	Selection/ Appointment	<u>Part Heard</u> <u>For Final Hearing Peremptorily</u> For Hearing Reply Filed by R-1 to R-3	6.7.2023
3	TA11/99 In WP3251/93 With	P'bhnai	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana through its Joint Secretary, M.S. Sonwane) <u>Adv.VivekBhavthankar for R.Nos.2&3</u>	Termination	<u>For Final Hearing Peremptorily</u>	7.7.2023
4	TA19/99 In WP2311/94 With	P'bhnai	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana)	Termination		7.7.2023
5	TA26/99 In WP2772/93 With	P'bhnai	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana, P' Bhani&Ors)	Termination		7.7.2023

6	TA47/99 In WP776/95 With	P'bhani	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana)	Termination Termination Termination		7.7.2023
7	TA7/99 In WP3765/97 with	P'bhnai	Adv.S.R. Barlinge (Vyankati S Agase&Ors)			7.7.2023
8	TA6/06 With WP4261/95 with	Jalna	Adv.Party In Person (GoverdhanGanoji)			7.7.2023
9	TA36/02 In WP3007/91 With	A'nagar	Adv.S.K. Shelke/ Adv.S.U. Jadhav (AhmenagarZilla wan Kamgar Union through its Vice President, GulabraoDeshmukh)	Termination		7.7.2023
10	MA311/08 In TA42/99 In WP1274/91 With	P'bhnai	Adv.SubhashMundhe (Ram U Dumane)	M.A. For Vacate I.R.		7.7.2023
11	TA17/99 In WP2791/94 With	P'bhnai	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana)	Termination		7.7.2023
12	TA35/98 In WP296/98 With	Jalna	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana, A'bad)	Termination		7.7.2023
13	MA309/08 In TA24/99 In WP3607/93 With	P'bhani	Adv.B.B. Yenge (The Dy.Director of Social Forestry P'bhnai)	M.A. For Vacate I.R.		7.7.2023
14	MA306/08 In TA36/99 In WP652/94 With	P'bhnai	Adv.B.B. Yenge (The Dy.Director of Social Forestry Division Officer, P'bhnai)	M.A. For Vacate I.R.		7.7.2023
15	TA28/99 In WP1253/91 With	P'bhnai	Adv.S.R. Barlinge (Dasa N Shere&Ors.)	Termination		7.7.2023

16	TA30/99 In WP617/94 With	P'bhnai	Adv.S.K. Shelke (Parubai G Varad&Ors.)	Termination		7.7.2023
17	TA33/99 In WP3776/97 with	Dhule	Adv.S.K. Shelke (DhuleZila Van KamgarShramikSangh.)	Termination		7.7.2023
18	TA34/99 In WP3620/97 With	A'bad	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana)	Termination		7.7.2023
19	TA37/99 In WP1382/94 With	P'bhnai	Adv.S.R. Barlinge (Keshv H Kamble&Ors.)	Termination		7.7.2023
20	TA14/99 In WP3770/97 With	A'bad	Adv.S.R. Barlinge (Harman V Surwase&Ors.)	Termination		7.7.2023
21	TA16/99 In WP1226/91 With	Jalna	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana through its General Secretary, B.V. Bansod)	Termination		7.7.2023
22	TA13/99 In WP777/95 With	P'bhnai	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana)	Termination		7.7.2023
23	TA20/99 In WP882/91 With	A'bad	Adv.S.K. Shelke (MarathwadaSarvaShramikSanghtana, A'bad)	Termination		7.7.2023
24	TA38/99 In WP329/92	A'nagar	Adv.S.K. Shelke (AhmednagraZilla Van Kamgar Union A'nagar)	Termination		7.7.2023
25	OA694/13	Hingoli	Adv.Avinash S Deshmukh (Bashir Khan Daulat Khan Patel)	Promotion	<u>For Final Hearing Peremptorily</u> Reply Filed by R-1	7.7.2023
26	OA89/16	Beed	Adv.A.D. Gadekar (ShaikhAsrafskSardar) <u>Adv.S.B. Patil for R.Nos. 2 to 4</u>	Direction	<u>For Final Hearing Peremptorily / For Producing Necessary</u>	Disposed of

					Documents	
					Reply Filed by R-1	

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

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

Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)

And

THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -07/06/2023

For Reply Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	CP28/22 In OA583/19	Jalgaon	Adv.Preeti R Wankhade (Bhaskar D Baviskar)	Contempt Petition	Await Service	12.7.2023
2	CP40/22 In OA1082/19	A'bad	Adv.A.S. Gandhi (Naresh W Sakpal)	Contempt Petition	For Filing Affidavit in Reply	12.7.2023
3	CP45/22 In OA598/15	P'bhani	Adv.Dr. KalpalataPatilBharaswadkar (Noorunnisa Begum Abdul Rehman)	Contempt Petition	Await Service	17.7.2023
4	OA423/20	Dhule	Adv.N.L. Choudhari (Rahul P Deore)	Promotion	For Filing Affidavit in Rejoinder	17.7.2023
5	OA55/21	A'bad	Adv.P.S. Anerao (Arvind S Bhavar)	Selection List/ Appointment	For Filing Affidavit in Rejoinder	17.7.2023
6	OA221/21	Dhule	AdvKakasaheb B Jadhav (Subhash S Jawadekar)	Appointment I Class III Post	One More Last Chance For Filing Affidavit in Rejoinder	17.7.2023
7	TA18/22 WP9387/22	A'bad	Adv.P.R. Katneshwarkar (The Maharashtra Public Prosecutors Association, Through its President)	Benefits of Old Pension Scheme	For Filing Affidavit in Reply	18.7.2023
8	OA109/22	P'bhani	Adv.Sharwari M Deshpande (Vinod H Kulkarni)	Benefit of Permanancy	Await Service	18.7.2023

9	OA303/22	Nanded	Adv.Manoj U Shelke (Santosh G Lungare)	Voluntary Retirement	For Filing Affidavit in Rejoinder	18.7.2023
10	OA312/22	A'bad	Adv.Vivek U Rathod/ Adv.S.SKulkarni (Shaym V Jadhav)	Seniority/ Promotion	For Filing Affidavit in Rejoinder	18.7.2023
11	OA388/22	Beed	Adv.S.S. Jadhavar (Sunil P Jaybhaye)	Expunge of Adverse Remarks	For Filing Affidavit in Rejoinder	13.7.2023
12	OA393/22	Beed	Adv.S.S. Jadhavar (Deepak V Chatap)	Revised ACPS Yojna	For Filing Affidavit in Reply	13.7.2023
13	OA441/22	Beed	Adv.P.S. Anerao (Gajanan A Taralkar)	Promotion	For Filing Affidavit in Rejoinder	17.7.2023
14	OA504/22	A'bad	Adv.A.S. Deshpande <u>Leave Note Filed by AdvA S Deshpande From 06.07.2023 & 11.07.2023</u> (Kiran S Pawar)	De Novo Enquiry	For Filing Affidavit in Rejoinder	19.7.2023
15	OA613/22	A'bad	Adv.R.D. Khadap (Rahul D Sathe) <u>Adv.A.S. Deshmukh for R.Nos.6, 8, 11 to 13, 15, 17, 22, 24 & 26 to 28</u> <u>Adv.A.D. Sugdare for R.No.29</u>	Examination/ Appointment	Last Chance For Filing Affidavit in Reply	4.7.2023
16	OA629/22	Jalgaon	Adv.UjjwalPatil (Santosh V Deshmukh&Ors)	Deemed Date of Appointment	Last Chance For Filing Affidavit in Reply	5.7.2023
17	OA700/22	A'nagar	Adv.R.R. Karpe/ (Sujay S Gaydhane)	Appointment	For Filing Affidavit in Reply R- 1 & R- 3	12.7.2023
18	OA828/22	A'nagar	Adv.V.B. Wagh (Shailendra G Sasane)	Designation	One More Last Chance For Filing Affidavit in Reply	30.06.2023
19	OA132/23	A'bad	Adv.A.S. Deshpande <u>Leave Note Filed by AdvA S Deshpande From 06.07.2023 & 11.07.2023</u> (Haridas G Kamble&Ors.)	Promotion (Kotwal)	Await Service	3.7.2023
20	OA186/23	A'bad	Adv.A.D. Sugdare (Anand I Dhale)	Termination	For Reply	19.7.2023

21	OA341/23	Beed	Adv S SJadhavar (Dr. Jayashree E Achme)	Selection Process (MPSC)	Await Service	13.7.2023
22	OA351/23	A'bad	Adv P R Wankhade (Dr. Rajesh B Kharat)	Selection Process (MPSC)	For Reply	30.06.2023
23	OA364/23	O'bad	Adv A S Bayas (Dilip R Adatrao)	Selection Process	Await Service For R-4	4.7.2023
Order Matters						
24	MA35/18 In OAS97/18	A'nagar	Adv S SJadhavar (Nilesh R Tagad) <u>Adv M B Kolpe R- 2</u>	M.A For Condonation of Delay	For Taking Necessary Steps For Compliance <u>Ref Order</u> <u>Dtd.24.08.2022</u>	13.7.2023
25	MA418/22 In OA640/22	O'bad	Adv.S.V. Deshmukh (Dilipkumar R Patil)	M.A. For Condonation of Delay	For Filing Affidavit in Reply in M.A	13.7.2023

ORIGINAL APPLICATION NO.292/2023
(Sameer H. Umralkar Vs. State of Maharashtra & Ors.)

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

DATE : 07-06-2023

ORAL ORDER :

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

2. Learned Advocate for the applicant states that he will file service affidavit in the office during the course of the day.

3. At the request of learned CPO, S.O. to 19-06-2023 for filing affidavit in reply.

MEMBER (J)

YUK ORAL ORDER 07.06.2023

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

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

DATE : 07-06-2023

ORAL ORDER :

Heard Shri M.R.Kulkarni, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 06.07.2023.

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

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

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

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

7. S.O. to 06.07.2023.

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

MEMBER (J)

ORIGINAL APPLICATION NO.410/2023
(Vikas H. Solanke Vs. State of Maharashtra & Ors.)

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

DATE : 07-06-2023

ORAL ORDER :

Heard Shri O.B.Boinwad, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 05.07.2023.

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

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

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

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

7. S.O. to 05.07.2023.

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

MEMBER (J)

DATE : 07.06.2023

ORIGINAL APPLICATION NO.420/2023

**(Mamta wd/o Sanjeev Vispute Vs. The State of Maha.
& Ors.)**

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

1. Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri M.S.Mahajan, learned C.P.O. for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on **05.07.2023**. The case be listed for admission hearing on **05.07.2023**.

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

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

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

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

REGISTRAR

DATE : 07.06.2023
ORIGINAL APPLICATION NO.419/2023
(Dilip V. Dengale Vs. The State of Maha. & Ors.)

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

1. Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri M.S.Mahajan, learned C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **05.07.2023**. The case be listed for admission hearing on **05.07.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

