

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

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

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

Date: -08/08/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
High On Board Matter						
7	OA313/21	Nanded	Adv.P.B. Rakhunde (Pandurang M Kamble)	Direction/ Interest on Delayed Payment	Reply Filed by R-3	31.8.2023
Order Matters						
8	MA366/18 In MAST1591/18 In OAST1592/18 With	A'bad	Adv.Ajay S. Deshpande (Dr.Ravindra A Daware & Ors)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-4	20.9.2023
9	MA295/19 In OAST993/19	A'bad	Adv.A.S. Deshpande (Vaishali S Sanap @ Vaishali A Nagargoje)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2	20.9.2023
10	MA563/19 In OAST1421/19	J'gaon	Adv.S.B. Ghute (Manoj A Dusane)	M.A. For Condonation of Delay	Further Consideration For Hearing Reply Filed by R-1 to R-4	20.9.2023
11	MA299/20 In OAST1286/20	Hingoli	Adv.Amol A Kokad (Ram S Bajulge)	M.A. For Condonation of Delay	For Taking Instruction For Hearing Reply Filed by R-1 to R-4	22.9.2023
12	MA368/22 In OAST307/22	P'bhani	Adv.B.B. Kulkarni (Jaydatt R Bhusare)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1	1.9.2023
13	MA289/23 In OA496/23	A'bad	Adv.Mohit R Deshmukh (Gurunath S Indurkar)	M.A. For Direction		20.9.2023
14	MA313/23 In OA76/20	Latur	Adv.R.R. Deshmukh (Shantabai G Kulkarni Died through Her LRs Satish G Kulkarni)	M.A. to Bring LRs. On record with Prayer of abatement		25.9.2023

Due Admission Matters						
15	OA504/21	Nanded	Adv.M.D. Godhamgaonkar (Dilip B Rathod)	Direction/ Count Earlier Duty Period	Part Heard Reply filed by R-1 to R-3	20.9.2023
16	OA424/23	N'bar	Adv.Rakesh N Jain (Lahu M Chavan)	Transfer	Part Heard Reply Filed by R-2 & R-3	Reserve for orders
17	OA494/20	O'bad	Adv.Suhas B. Ghute (Yashwant L Mohite) <u>Adv.Hanumant P Jadhav</u> <u>for R.No.5</u>	Transfer	For Hearing Reply Filed by R-1 to R-5	20.9.2023
18	OA524/21	Jalna	Adv.Swapnil S Dargad/ Adv.A.V. Thombre (Hanumant R Kulkarni)	Pension & Pensionary Benefits	Reply filed by R-1 to R-3	22.9.2023
19	OA584/21	A'nagr	Adv.Sunil B Balkrishna Sali/ Adv.K.B. Jadhav (Malti A Kharikar, Wife of Deceased Arunkumar N Khaikar Food Inspector, F.D.A., M.S. A'nagar)	Pension/ Family Pension	Reply filed by R-2 to R-4	29.9.2023
20	OA17/22	Beed	Adv.S.S. Tandale (Baburao M Kamble)	Subsistance Allowance/ Salary	For Hearing Reply Filed by R-1 to R-3	22.9.2023
21	OA366/22	Dhule	Adv.K.B. Jadhav (Rahul I Pawar)	Compassionate Appointment	Reply Filed by R-1 & R-3	9.8.2023
22	OA596/22	Latur	Adv.Manoj U Shelke (Kantabai B Phad) <u>Adv. M.A. Golegaonkar for</u> <u>R.No.5</u>	Family Pension & Other Benefits	For Hearing Reply Filed by R-2 to R-4	22.9.2023
23	OA608/22	J'gaon	Adv.V.B. Wagh (Mahendra S Surwade)	Relieve	Reply Filed by R-1	18.8.2023
24	OA733/22	A'bad	Adv.Nitin B Patil(LLP) (Rahul R Rathod)	Directions/ Transfer	For Hearing Reply Filed by R-1, R-4 & R- 5	31.8.2023
25	OA760/22	N'bar	Adv.Kakasaheb B Jadhav (Hitesh S Vispute) <u>Adv.Yogesh M Patil For</u> <u>R.No.4</u>	Compassionate Appointment	For Hearing	9.8.2023

26	OA1045/22	Dhule	Adv.Navin S Shah (Rajendra V Desale) <u>Adv.V.G. Pingle for R.No.4</u>	Police Patil	For Hearing Reply Filed by R-1 to R-4	26.9.2023
27	OA1080/22	A'bad	Adv.M.R. Kulkarni (Dr. Pradnya S Jadhav)	Continuation in Service	For Hearing Reply Filed by R-1 to R-4	6.9.2023
28	OA27/23	Jalna	Adv.S.B. Jadhav (Sanjay M Vyas)	Pay Fixation/ Recovery	For Hearing Reply Filed by R-1 to R-5	26.9.2023
29	OA61/23	Latur	Adv.A.S. Deshmukh (Madhav D Shinde)	Transfer	Reply Filed by R-1 to R-4	31.8.2023
30	OA393/23	A'bad	Adv.Kiran G Salunke (Shivaji G Wadje)	Transfer	For Hearing Reply Filed by R-1 & R-2	17.8.2023
31	OA634/23	Dhule	Adv.J.B. Choduhary (Dr.Bhushan B Rao) <u>Adv.Avinash S Deshmukh For R.No.6</u>	Transfer	For Further Consideration Reply Filed by R-1 to R-6	9.8.2023
Final Hearing Matters						
32	OA581/17	A'bad	Adv.D.T. Devane (Manggal S Kathar)	Benefits of Time Bound Promotion/ ACPS	Reply Filed by R-2 & R-3	27.9.2023
33	OA832/17	A'nagar	Adv.R.P. Bhumkar (Ramkrishna K Mhaske & Ors.)	Time Bound Promotion/ ACPS/ Benefit of G.R./	Reply Filed by R-1 to R-3	27.9.2023
34	OA162/18 With	J'gaon	Adv.A.D. Sugdare (Baliram B Patil) <u>Adv.Sunita D Shelke for R.Nos.3 & 4</u>	Financeial Benefit of Deemed date	Reply Filed by R-1 to R-4	27.9.2023
35	OA163/18	J'gaon	Adv.A.D. Sugdare (Pramol R Kachare) <u>Adv.Sunita D Shelke for R.Nos.3 & 4</u>	Financeial Benefit of Deemed date	Reply Filed by R-1 to R-4	27.9.202
36	OA388/18	Nanded	Adv.Prashant Deshmukh (Namdeo P Gawali)	Deemed date of Promotion	Reply Filed by R-2	29.9.2023
37	OA830/18	Dhule	Adv.Shamsunder B Patil (Shailendra H Mali) <u>Adv.M.V. Bhamre for R.No.5</u>	Kotwal	Reply filed by R-3 to R-5	30.8.2023

38	OA853/18	Dhule	Adv.Suresh D Dhongde (Pramod C Bute)	Withholding of Annual Increment	Reply filed By R-1 to R-3	22.9.2023
39	OA894/18	A'bad	Adv.R.P. Bhumkar (Shivaji B Satote) <u>Adv.S.B. Mene for R.Nos.3 & 4</u>	Refund the Amount	Reply Filed by R-3 & R-4	27.9.2023
40	OA488/21	A'bad	Adv.Kakasaheb B Jadhav (Sayed Naimuddin Sayed Moinuddin)	Retirement Benefits/ Deemed Date of Promotion	Reply Filed by R-1 to R-5	21.9.2023
41	OA537/21	Dhule	Adv.K.B. Jadhav (Balasaheb S Khairnar)	Transfer	Reply Filed by R-1 to R-4	31.8.2023
42	OA732/21	Jalna	Adv.Kakasaheb B Jadhav (Dashrath D Jadhav)	Recovery/ Refund of Amount	Reply Filed by R-1 to R-3	22.9.2023
43	OA252/23	A'nagar	Adv.Avinash S Deshmukh (Balasaheb Y Dhanave)	Transfer	Reply Filed by R-1	31.8.2023

Date: -08/08/2023

S.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA1056/19	Nanded	Adv Amit A Mukhaedkar (Rajkumar D Malshetwar)	Family Pension/ Pensionary Benefitis	For Reply	31.8.2023
2	OA132/21	A'bad	Adv R N Bharaswadkar (Bhanudas E Tarte)	Recovery	Await Service	22.9.2023
3	OA318/21	Nanded	Adv Amol A Kokad (Prakash M Deshmukh)	Directions T.B.P/A.C.P.S	One More Last Chance For Filing Affidavit in Reply <u>Ref Order Dtd. 14.12.2022</u>	22.9.2023
4	OA382/21	A'bad	Adv J M Murkute (Shaikh Hafijoddin Hanifoddin Shaikh) <u>Adv A C Deshpande For R- 3 & R-4</u>	Posting	Await Service <u>Ref Order Dtd. 13.01.2023</u> & Reply Filed By R-1 to R-4	22.9.2023

5	OA612/21	Beed	Adv Suresh P Salgar (Dr. Arun B Morale) <u>Adv Promod Pisal For R-3</u>	Transfer	Reply Filed By R-3 to R-5 & As a Last Chance For Filing Affidavit in Reply R-1 & R-2	1.9.2023
6	OA746/21	Jalna	Adv J S Deshmukh (Smt. Tilottama V Bhatkar)	Recovery/ Refund Of Recovered Amount	Reply Filed By R-2 & R-3 & For Filing Affidavit in Rejoinder	22.9.2023
7	OA355/22	Nanded	Adv P P Dama/ Adv V R Kalyankar (Basveshwar J Warad) <u>Adv S B Patil For R-4</u>	House Rent/ Payment Allowances	Reply Filed By R-2 & R-4 & By Way of Last Chance For Filing Affidavit in Reply	8.9.2023
8	OA598/22	O'bad	Adv Shivraj V Deshmukh (Dilipkumar R Patil)	Direction/Pay all the Pensionery Benefits	Reply Filed By R-1, R-2 R-5 & For Filing Affidavit in Rejoinder	22.9.2023
9	OA672/22	Dhule	Adv.Sanjay N. Pagare (Dinesh R. Choudhari)	Minor Punishment	Reply Filed by R-1 to R-4 & For Filing Affidavit in Rejoinder	20.9.2023
10	OA673/22	Dhule	Adv.Sanjay N. Pagare (Dinesh R. Choudhari)	Minor Punishment	Reply Filed by R-1 to R-4 & For Filing Affidavit in Rejoinder	
11	OA674/22	Dhule	Adv.Sanjay N. Pagare (Dinesh R. Choudhari)	Minor Punishment	Reply Filed by R-1 to R-4 & For Filing Affidavit in Rejoinder	
12	OA936/22	Nanded	Adv Vishnu Y Patil (Ajay M Bhonge)	Compassionate Appointment	Await Service <u>Ref Order Dtd.</u> <u>22.12.2022</u> & Reply Filed By R-1 & R-2 & For Filing Affidavit in Rejoinder	22.9.2023
13	OA971/22	Beed	Adv J B Chaoudhary (Avinash V Solanke)	Pension & Pensionery Benefits	Reply Filed By R-1 to R-3	22.9.2023

14	OA1073/22	A'bad	Adv S R Kolhare (Gajanan S Bachipale)	Compassionate Appointment	For Reply	6.9.2023
15	OA1140/22	O'bad	Adv A S Shelke (Rameshwar A Harbhare)	Subsistence Allowance/ Pay Fixation/ Salary	For Reply	13.9.2023
16	OA35/23	Beed	Adv S S Thombre (Narayna D Gayke)	Suspension/ Re-instatement	Reply Filed By R-1 to R-3 & For Filing Affidavit in Rejoinder	5.9.2023
17	OA143/23	Nanded	Adv S S Thombre (Dwarkadas G Ghikhalikar)	Transfer	Reply Filed By R-2 & For Filing Affidavit in Rejoinder	31.8.2023
18	OA349/23	Latur	Adv P R Wankhade (Suresh M Hakke)	Suspension/ Re-instatement	For Reply	30.8.2023
19	OA379/23	Hingoli	Adv S B Jadhav (Vinod V Bandale) <u>Adv A S Reddy For R-3</u>	Refund of Recovered Amount	For Reply	26.9.2023
20	OA382/23	Dhule	Adv K B Jadhav (Kiran P Chaudhari)	Transfer	For Reply	1.9.2023
21	OA392/23	Latur	Adv R K Ashtekar (Vishnu K Kore)	Transfer	For Reply	28.8.2023
22	OA413/23	Jalna	Adv Kakasaheb B Jadhav (Raosaheb S Shirsath)	Recovery/ Refund of Recovered Amount	For Reply	7.9.2023
23	OA417/23	Dhule	Adv Avinash S Deshmukh (Chandrashekar P Nikam)	Recovery/ Refund of Recovered Amount	For Reply	21.9.2023
24	OA432/23 With	P'rbn	Adv S D Joshi (Dr. Subhash P Pawar) <u>Adv Ganesh V Mohekar For R-4</u>	Transfer	Await Service R-1	15.9.2023
25	MA241/ 23 In OA436/23	P'rbn	Adv Poonam B Patil (Dr. Subhash P Pawar)	Transfer	Notice Not Collected	31.8.2023
26	OA433/23	N'bar	Adv S D Joshi (Dr. Shivaji J Rathod)	Transfer	For Reply	15.9.2023

27	OA44723	A'bad	Adv A S Shejwal (Lata D Nikalje)	Transfer	Notice Not Collected	31.8.2023
28	OA470/23	Nanded	Adv R A Joshi (Ramesh P Degloorkar)	Transfer	For Filing Affidavit in Reply	18.8.2023
29	OA471/23	Nanded	Adv V B Dhage (Govind S Surewad)	Transfer	Await Service	31.8.2023
30	OA497/23	A'nagar	Adv D T Devane (Ravindra P Sathe)	Transfer	For Filing Affidavit in Reply	4.9.2023
31	OA505/23	Dhule	Adv A B Rajkar (Rajendra U Patil)	Recovery	Await Service	4.9.2023
32	OA508/23	A'bad	Adv V B Wagh (Shalini P Bidarkar)	Suspension	For Reply	7.9.2023
33	OA519/23	P'rbn	Adv S D Joshi (Dr. Kalidas V Niras) Adv G V Mohekar For R-4	Transfer	For Reply	11.9.2023
34	OA520/23	P'rbn	Adv S D Joshi (Dr. Abasaheb A Jadhav) Ganesh V Mohekar For R-4	Transfer	Await Service R-1	11.9.2023
35	OA527/23	A'bad	Adv Kiran G Salunke (Vidya A Mohite) Adv U A Khekale For R-3 & R-4	Transfer	Reply Filed By R-1 & R-2 & For Filing Affidavit in Reply	23.8.2023
36	OA532/23	A'bad	Adv P R Wankhade (Prashant C Nikalje)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	28.8.2023
37	OA561/23	Dhule	Adv K B Jadhav (Bhatu A Awhad)	Transfer	For Filing Affidavit in Reply	25.8.2023
38	OA584/23	A'nagar	Adv V B Anjanwatikar (Digambar D Pawar)	Transfer	Await Service	31.8.2023
39	OA681/23	A'bad	Adv K B jadhav (Dr. Prashant R Ghodke)	Suspension/ Revocation of Suspension	For Reply	1.9.2023

40	OA682/23	A'bad	Adv K B Jadhav (Dr. Suresh G Ghule)	Suspension/ Revocation of Suspension	For Reply	1.9.2023
Order Matters						
41	MA95/23 In OAS192/23	A'nagar	Adv V B Wagh (Sunita D Jarhad)	M.A For Condonation of Delay	Reply Filed By R-1 & R-2 & For Reply	21.8.2023
42	MA202/23 In OA155/23	P'rbn	Adv K B Jadhav (Avinash V Raut)	M.A For I.R	By Way of Last Chance For Filing Affidavit in Reply	14.9.2023
43	MA258/23 In OAS1758/23	Latur	Adv R K Ashtekar (Bharti V Raut)	M.A For Condonation of Delay	For Reply	12.9.2023

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

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

Before: - Court On Leave

Date: -08/08/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
Order Matters						
9	MA95/21 In OA170/21 with	A'bad	Adv.Talekar & Associates (Shivkumar V Chivde) <u>Adv.J.P. Legal for R.Nos.5, 6 & 7</u>	M.A. For Amendment	For Hearing	9.10.2023
10	MA96/21 In OA171/21	A'bad	Adv.Talekar & Associats (Shivkumar V Chivde) <u>Adv.J.P. Legal for R.Nos.5 & 6</u>	M.A. For Amendment	For Hearing	9.10.2023
11	MA328/21 In OA42/13	Nanded	Adv.M.S. Deshmukh (Rana Pratapsingh N Chauhan)	M.A. For Restoration of O.A.	For Hearing/Dismissal	9.10.2023
12	MA419/22 In OAS1536/22	A'bad	Adv.A.D. Gadekar (Haribhau L Ghodke)	M.A. For Condonation of Delay	For Hearing	30.8.2023

Due Admission Matters						
13	CP05/22 In OA69/20	Beed	Adv.B.R. Kedar (Suresh G Tandale)	Contempt Petition	For Hearing	27.9.2023
14	CP42/22 In OA801/12	Hingoli	Adv.S.D. Dhongde (Baliram B Rathod)	Contempt Petition	For Hearing Reply Filed by R-2 & R-3	27.9.2023
15	OA256/18	Dhule	Party In Person (Avinash P Chandra & Ors.)	Challenging G.R.	For Hearing Reply Filed by R-2 & R-3	11.9.2023
16	OA128/19	Beed	Adv.Suhas P Urgunde (Ganesh T Pagare) <u>Adv.R.D. Khadap for R.No.6</u>	Promotion/ Major Punishment	For Hearing Reply Filed by R-2 & R-3	6.10.2023
17	OA182/19	A'nagar	Adv.V.B. Wagh (Dr. Devidas L Lavhate Through LRs. Reshma D Lavhate)	Age Relaxation/ Selection Process	For Hearing Reply Filed by R-1 to R-3	6.10.2023
18	OA115/20	A'bad	Adv.C.V. Dharurkar (Pravin S Thakre)	Appointment	For Hearing	9.10.2023
19	OA116/20	Nanded	Adv.P.B. Rakhunde (Shaikh Akhtar Hussain Mohd. Hanif)	Dismissal From Service	For Hearing Reply Filed by R-1 & R-2	10.10.2023
20	OA292/20	J'gaon	Adv.Ajay S Deshpande (Bhatu J Borse & Ors.)	Appointment	For Hearing Reply Filed by R-1 & R-4 & For Filing Affidavit in Rejoinder	10.10.2023
21	OA163/21	Dhule	Adv.Sanket N Suryawanshi (Nisar Kha Abdullatif Kha Pathan)	Departmental Enquiry	For Hearing	11.10.2023
22	OA231/21	Beed	Adv.S.B.Solanke (Sushilkumar B Jadhav & Ors.)	Challenging Recruitment Process	For Hearing	11.10.2023
23	OA339/21	A'bad	Adv.Amol B Chalak (Arun S Jadhav)	Show Cause Notice/ Termination	For Admission Reply Filed by R-5 to R-7	1.9.2023

24	OA246/21	J'gaon	Adv.S.B. Solanke (Pradeep B Bramhane)	Appointment	For Hearing	12.10.2023
25	OA633/21	A'bad	Adv.S.B. Solanke (Sunil H Nirmal)	Selection/ Appointment	For Hearing Reply Filed by R-2 & R-3	12.10.2023
26	OA22/22	A'bad	Adv.Kakasaheb Jadhav (Abaji B Amrute)	Qualifying Service/ Condonation of Break in Service	For Hearing Reply Filed by R-1 to R-4	13.10.2023
27	OA53/22	J'gaon	Adv.K.B. Jadhav (Sudhakar N Dusane)	Qualifying Service/ Condonation of Break in Service	For Hearing Reply Filed by R-1 to R-4	13.10.2023
28	OA171/22	P'bhani	Adv.J.J. Patil (Madansing S Gusinge)	Seniority List	For Hearing Reply Filed by R-2 to R-4	31.8.2023
29	OA614/22 with	Beed	Adv.V.P. Golewar/ Adv.A.D. Sugdare (Dr.Deepak N Kawale) <u>Adv.M.B. Kolpe for R.No.3</u>	Recruitment Process/ Interview	For Hearing Reply Filed by R-3	18.8.2023
30	OA666/22 with	A'bad	Adv.A.D. Sugdare (Dr.Archana B Dhavale) <u>Adv.M.B. Kolpe for R.No.3</u>	Appointment	For Hearing Reply Filed by R-1 & R-2	
31	OA693/22 with	Nanded	Adv.A.D. Sugdare (Dr.Aayasha Munwar Mohammed Ayub) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	
32	OA737/22 with	A'bad	Adv.A.D. Sugdare (Dr.Monali T Bhorge) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	
33	OA780/22 with	A'bad	Adv.A.D. Sugdare/ Adv.V.P. Golewar (Dr.Kailash P Kagne) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	
34	OA747/22 with	A'bad	Adv.Jayant S Deshmukh (Dr. Sanjyot G Giri) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	

35	OA748/22 with	Latur	Adv.J.S. Deshmukh (Drf.Abhijeet M Yadav) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	18.8.2023
36	OA769/22 with	Nanded	Adv.J.S. Deshmukh (Dr.Omprasad B Damkondwar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing Reply Filed by R-1 & R-2	
37	OA749/22 with	A'bad	Adv.V.S. Kadam (Dr.Sphoorti P Bende) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	
38	OA750/22 with	A'bad	Adv.V.S. Kadam (Dr.Pragati S Kadam) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	
39	OA751/22 with	A'bad	Adv.V.S. Kadam (Dr.Dipti K Bhagat) <u>Adv.M.B. Kolpe for R.No.3</u>	Eligibility/ Interview	For Hearing	
40	OA777/22 with	J'gaon	Adv.V.S. Kadam (Dr.Shital S Patil) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	
41	OA778/22 with	Latur	Adv.V.S. Kadam (Dr.Sharada U Sonkhedkar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	
42	OA787/22 with	Nanded	Adv.V.S. Kadam (Dr.Krishna T Pawar) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview (M.P.S.C.)	For Hearing	
43	OA788/22 with	Beed	Adv.V.S. Kadam (Dr.Vaibhav V Deshmukh) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	
44	OA796/22 with	O'bad	Adv.V.S. Kadam (Dr.Amol A Kapse) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview (M.P.S.C.)	For Hearing	
45	OA803/22 with	A'bad	Adv.A.D. Sugdare (Dr Syeda Muneza Nasusheen Mohammad Ali) <u>Adv.M.B. Kolpe for R.No.3</u>	Interview	For Hearing	

46	OA790/22 with	A'bad	Adv.A.S. Deshmukh (Dr.Pravin G Ranvir) <u>Adv.M.B. Kolpe for R.No.2</u>	Selection Process	For Hearing Reply Filed by R-1	18.8.2023
47	OA791/22	Latur	Adv.Vikrant S Valse (Rajshekhhar L Mengule) <u>Adv.M.B. Kolpe for R.No.2 & 4</u>	Selection Process/ Interview	For Hearing	
48	OA365/23	Latur	Adv.Avinash S Deshmukh (Trupati V Andhare) <u>Adv.Sachin Deshmukh For R.Nos. 3 to 7</u>	Challenging Rules	For Hearing Reply Filed by R-3 to R-7	1.9.2023
Final Hearing Matter						
49	OA627/18	J'gaon	Adv.Suchita A Dhongde (Amol B Chaudhari) <u>Adv.Kuldeep P. Mahale & Adv.Anand P Thakare for R.No.2</u>	Selection/ Appointment	Reply Filed by R-2	30.10.2023
50	OA935/18	Beed	Adv.K.B. Jadhav (Chandrabhan V Veer)	Pay Scale/ Recovery/ Pension & Pensionary Benefits	Reply Filed by R-1 to R-5	8.9.2023
51	OA398/19	A'nagar	Adv.V.B. Wagh (Dr Anilkumar B Momale)	Voluntary Retirement	Reply Filed by R-1 to R-5	31.10.2023
52	OA561/19	J'gaon	Adv.Suchita A Dhongde (Ramesh P Barhe) <u>Adv.Subhash S Chillarge for R.No.3</u>	Higher Pay Scale	Reply Filed by R-1 to R-3	30.10.2023
53	OA774/22 With MA78/23	O'bad	Adv.R.P. Bhumkar (Angad R Shinde)	Seniority list M.A. For Amendment	Reply Filed by R-1 to R-3	12.9.2023
54	OA826/22 With MA80/23	A'bad	Adv.Talekar & Associates (Mujeebkhan Mehboobkhan Pathan) <u>Adv.Ajay Deshpande For R. No.5</u> <u>Adv.D.R. Shelke For R.No.6</u> <u>Adv.Avi nash Deshmukh for R.Nos.7 to 8</u> <u>Adv.Mahesh S. Deshmukh For R.Nos. 9 to 28</u> <u>Adv.A.D. Sugdare in MA80/23</u> (Prmod B More & Ors.)	Seniority List/ Promotion M.A. For Intervention	Reply Filed by R-1, R-2 & R-5 Additional Affidavit of Reply Filed by R-1 & R-2 & Intervenors	12.9.2023

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

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

Before: - Court On Leave

Date: -08/08/2023

for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP31/22 In OA44/20	Jalna	Adv.K.B. Jadhav (Asha S Gaikwad)	Contempt Petition	As a Last Chance for Filing Affidavit in Reply	29.9.2023
2	CP32/22 In OA547/20	A'bad	Adv.S.D. Joshi (Vishvajit S Kotkar)	Contempt Petition	Await Service	29.9.2023
3	CP13/23 In OA340/22	A'bad	Adv.M.R. Kulkarni (Nandkishor S Chitlange)	Contempt Petition	For Filing Affidavit in Rejoinder	3.10.2023
4	OA553/20	Beed	Adv.Avinash S Deshmukh (Bhujang M Khedkar)	Promotion	As a Last Chance For Filing Affidavit in Rejoinder	9.10.2023
5	OA308/21	Beed	Adv.Santosh S. Jadhavar (Nita B Magare)	Seniority	Await Service of Notice For R-1 & As One More Last Chance For Filing Affidavit in Reply For R-2 & R-3	11.9.2023
6	OA628/21	Latur	Adv.S.P. Urgunde (Swati G Swami)	Absorption	As a Last Chance For Filing Affidavit in Rejoinder	12.10.2023
7	OA700/21	Latur	Adv.Avinash S Deshmukh (Somnath S Reddy) <u>Adv.Ajav S Deshpande for R.No.7</u>	Seniority Lists/ Promotion	One More Last Chance For Filing Affidavit in Rejoinder	12.10.2023
8	OA81/22	A'bad	Adv.S.B. Patil (Archana T Tribhuvan)	Challenging Clause of An Advertisement/ Recruitment Process	For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed by R-2	13.9.2023
9	OA237/22	Jalna	Adv.S.S. Jadhavar (Vinayak U Banchod)	Seniroyty List/ Promotion	For Filing Affidavit in Reply	9.10.2023
10	OA445/22	Nanded	Adv.R.A. Joshi (Shilpa S Dhanmane & Ors.)	Examination	Await Service of Notice For R-1 & R- 3	14.9.2023
11	OA474/22	Beed	Adv.S.S. Kulkarni/ Adv.V.S. Kadam (Anurath A Lande)	Selection	As a Last Chance For Filing Affidavit in Rejoinder	13.9.2023

12	OA690/22	A'bad	Adv.P.V. BodkePatil (Sachin J Gadekar)	Interview	As a Last Chance For Filing Affidavit in Rejoinder	7.9.2023
13	OA703/22	Nanded	Adv.O.B. Boinwad (Shivaji V Galande)	Directions/ Promotion	For Filing Affidavit in Reply For R-1 & R-2	16.10.2023
14	OA832/222	Jgaon	Adv.S.N. Pagare (Dr. Harshal M Mahajan) <u>Adv.M.B. Kolpe For R.No.3</u>	Interview	Await Service of Notice For R-1 to R- 3	18.8.2023
15	OA927/22	Latur	Adv.Avinash S Deshmukh (Ratan V Kajale)	Seniority/ Promotion	For Filing Affidavit in Rejoinder	5.9.2023
16	OA320/23	Latur	Adv.A.N. Ansari (Baburao H Biradar)	Major Punishment	For Filing Affidavit in Reply	16.10.2023
17	OA366/23 With Caveat12/23		Adv.Avinash S Deshmukh (Nitin B Kolekar) <u>Adv.Ajay Deshpande For Caveator i.e. Respondent Nos.3 & 4</u>	Seniority List/ Reversion	For Filing Affidavit in Reply	1.9.2023
18	OA408/23	P'bhani	Adv.V.B. Wagh (Dr. Suhas B Jagtap)	Continuation of Service	For Filing Affidavit in Reply	1.9.2023
19	OA454/23	A'bad	Adv.Anirudha A Nimbalkar (Dr. Manohar A Wakle & Ors.) <u>Adv.D.T. Devane for R.No.7</u>	Continuation of Service	For Filing Affidavit in Reply	1.9.2023
20	OA456/23	A'bad	Adv.V.B. Wagh (Dr. Balkrishna S Lanjewar & Ors.)	Continuation of Service	For Filing Affidavit in Reply	1.9.2023
21	OA548/23	O'bad	Adv.C.V. Dharurkar (Mahamad H Inamdar)	Departmental Enquiry	Await Service	17.10.2023
22	OA612/23	P'bhani	Adv.K.B. Jadhav (Mohammad Hafiz UR Ibadur Raheman)	Qualifying Service/ T.B.P./ A.C.P.S. Benefits	Await Service	17.10.2023
Order Matters						
23	MA286/21 In OAS1860/21	O'bad	Adv.D.H. Jadhavar (Pushpa S Waghmode)	M.A. For Condonation of Delay	Await Service of Notice	9.10.2023
24	MA547/22 In OAS1755/22	Nanded	Adv.V.S. Kadam (Ashok V Kulkarni & Ors.) <u>Adv.D.T. Devane for R.Nos.2 & 3</u>	MA for Condonation of delay	For Filing Affidavit in Rejoinder	9.10.2023
25	MA271/23 In OA677/22	A'bad	Adv.K.G. Salunke (Ambrish K Bhusane)	M.A. For I.R.	For Filing Affidavit in Reply	12.10.2023

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH AT
AURANGABAD**

ORIGINAL APPLICATION NO. 403 OF 2023

DISTRICT : DHULE

Nitin s/o Rajaram Kapadnis,)
Age. : 42 years, Occ. Service as)
Additional Commissioner,)
Dhule Municipal Corporation,)
R/o Agrawal Nagar,)
Near Yellama Devi Temple,)
Malegaon Rad, Dhule.) .. **APPLICANT**

VERSUS

1. The State of Maharashtra,)
Through : the Secretary,)
Urban Development Department,)
Mantralaya, (Main Building))
4th floor, Madam Cama Marg,)
Hutatma Chowk, Mumbai – 32.)

2. The Commissioner,)
Dhule Municipal Corporation,)
Sakri Road, Dhule.) .. **RESPONDENTS**

APPEARANCE : Shri S.D. Joshi, Counsel for Applicant.
: Shri M.S. Mahajan, Chief Presenting Officer for
respondent authorities.
: Shri Chetan Bhadane, learned counsel for
respondent no. 2

CORAM : **JUSTICE P.R. BORA, VICE CHAIRMAN.**

DECIDED ON : **08.08.20223.**

OPERATIVE ORDER:

The Original Application stands dismissed without any order as to costs.

VICE CHAIRMAN

M.A. No. 346/2023 in O.A. St. No. 359/2023
(Pandurang V. Misal Vs. State of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Heard Shri S.A. Deshmukh, learned counsel for the applicant and Smt. Deepali S. Deshpand, learned Presenting Officer for respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 18.09.2023.
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 18.09.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**ORIGINAL APPLICATIN ST. NO. 1444 OF 2023
(Gautam P. Karle Vs. State of Maharashtra & Ors.)**

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

DATE : 08.08.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for respondent authorities, are present.

2. The office objection as about limitation appears to be sustainable.
3. Learned counsel for the applicant submits that he will file application for condonation of delay.
4. For the time being, the present matter is removed from the board.

VICE CHAIRMAN

**ORIGINAL APPLICATIN ST. NO. 1450 OF 2023
(Balbir J. Tyagi Vs. State of Maharashtra & Ors.)**

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

DATE : 08.08.2023

ORAL ORDER :

Shri Vaibhav Pawar, learned counsel holding for Shri S.S. Tope, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file Misc. Application seeking condonation of delay. Time granted.

3. For the time being, the present matter is removed from the board.

VICE CHAIRMAN

ORIGINAL APPLICATIN NO. 564 OF 2023
(Dr. Kiran V. Todkari Vs. State of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for respondent authorities.

2. Learned counsel for the applicant on written instructions seeks leave to withdraw the present Original Application. Written pursis under the signature of applicant also signed by the learned counsel for the applicant is taken on record. In view of the submissions so made, I proceed to pass the following order :-

ORDER

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

VICE CHAIRMAN

**ORIGINAL APPLICATIN ST. NO. 1541 OF 2023
(Chetansing K. Rajput Vs. State of Maharashtra & Ors.)**

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

DATE : 08.08.2023

ORAL ORDER :

Heard Shri Ajit B. Kale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondent authorities.

2. In the present matter the office has raised an objection about the territorial jurisdiction for filing the present Original Application by the present applicant, who is presently posted at Buldhana. The objection has also been raised as about locus of the present applicant for filing present Original Application.

3. Shri Ajit B. Kale, learned counsel appearing for the applicant submitted that the applicant by filing the present Original Applicant has questioned the transfer of respondent No. 3 at Dhule and as such this Tribunal will have jurisdiction to entertain the present Original Application. Insofar as locus is concerned, learned counsel has argued that it was the present applicant on whose complaint the actions are initiated against the respondent No. 3 i.e. for criminal prosecution and for departmental proceedings. Learned counsel pointed out that the criminal

prosecution is pending against the respondent No. 3 pertaining to the incident which had happened within the jurisdiction of Dhule. Learned counsel also pointed out that the departmental proceedings are also initiated taking to that incident and it is also pending. Learned counsel referred to Government Circular dated 20.04.2013, which contains direction that the Government employee against whom some departmental action is pending shall not be as far as possible posted at the same place, wherein certain misconduct is alleged to be committed by him. Learned counsel brought to my notice the statement of charge issued to the respondent No. 3 pertaining to misconduct alleged against the said respondent pertaining to incident occurred at Dhule. Learned counsel submits that the applicant apprehends that if the respondent No. 3 is posted at Dhule, he will try to manipulate the evidence which is likely to be produced in the D.E., as well as, in the criminal prosecution. Learned counsel in the circumstances brought to my notice that he has every locus to challenge the order of transfer in respect of respondent No. 3.

4. Prima-facie, it appears to me that the applicant may have locus to challenge such action for the reason

that the criminal prosecution, as well as, departmental proceedings are initiated against the respondent No. 3 on complaint of the present applicant. In the circumstances, keeping issue of locus open, I am inclined to issue notice to the respondents in the present matter.

5. After having considered the submissions made on behalf of the applicant and after having gone through the material on record and more particularly the Government Circular dated 20.04.2013, the decision of respondents to post the respondent No. 3 again at Dhule *prima-facie* appears to be unjust and improper and I am therefore, inclined to pass the following order :-

ORDER

(i) Keeping issue of locus open, issue notices to the respondents, returnable on 31.08.2023, **till then if the respondent No. 3 is not already relieved, the respondent Nos. 1 and 2 shall not relieve the respondent No. 3 until further orders of this Tribunal. In the meanwhile, it would be open for the respondents to give him posting at some place other than Dhule.**

(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

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O.A. St. 1541/2023

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

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

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

(vi) S.O. to 31.08.2023.

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

VICE CHAIRMAN

KPB ORAL ORDER 08.08.2023

**O.A. Nos. 614, 666, 693, 737, 780, 747, 748, 769
749, 750, 751, 777, 778, 787, 788, 796, 803,
804, 790, 791 & 832 all of 2022**
(Dr. Deepak N. Kawale & Ors. Vs. State of Maharashtra & Ors.)

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

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

DATE : 08.08.2023

ORAL ORDER :

S/shri A.D. Sugdare, J.S. Deshmukh, Vikram Sarse, learned counsel holding for V.S. Kadam, S.S. Tandale, learned counsel holding for Shri B.R. Kedar, Avinash Desmukh, V.S. Valse & S.N. Pagare, learned counsel for the respective applicants in respective O.As., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.As. and Shri M.B. Kolpe, learned Advocate for respondent No. 3 in 14 O.As., are present.

2. In the present matters the M.P.S.C. was to place on record the marks received by the respective applicants in interviews.

3. Learned counsel appearing for M.P.S.C. submits that because of non-availability of staff, he is unable to produce on record said information. He has therefore, sought two weeks' time to place on record said information. Time granted as prayed for.

4. S.O. to 18.08.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.681/2023
(Dr. Prashant Ghodke Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O. for filing affidavit in reply on behalf of the respondents, S.O. to 01-09-2023. Interim relief granted earlier to continue till then.

YUK ORAL ORDER 08.08.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.682/2023
(Dr. Suresh Ghule Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O. for filing affidavit in reply on behalf of the respondents, S.O. to 01-09-2023. Interim relief granted earlier to continue till then.

YUK ORAL ORDER 08.08.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.143/2023
(Dwarkadas Chikhalikar Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri A.V.Thombre, learned Counsel holding for Shri S.S.Thombre, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O. for filing affidavit in reply on behalf of the respondents, S.O. to 31-08-2023. Interim relief granted earlier to continue till then.

YUK ORAL ORDER 08.08.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.252/2023
(Balasaheb Dhanave Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri Saket Joshi, learned Counsel holding for
Shri A.S.Deshmukh, learned Counsel for the
applicant and Shri I.S.Thorat, learned Presenting
Officer for the respondent authorities, are present.

2. S.O. to 31-08-2023 for hearing. Interim relief
granted earlier to continue till then.

YUK ORAL ORDER 08.08.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.537/2021
(Balasaheb Khairnar Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 31-08-2023 for hearing. Interim relief granted earlier to continue till then.

YUK ORAL ORDER 08.08.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.61/2023
(Madhav Shinde Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri Saket Joshi, learned Counsel holding for
Shri A.S.Deshmukh, learned Counsel for the
applicant and Shri I.S.Thorat, learned Presenting
Officer for the respondent authorities, are present.

2. S.O. to 31-08-2023 for hearing. Interim relief
granted earlier to continue till then.

YUK ORAL ORDER 08.08.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.584/2023
(Digambar Pawar Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri V.B.Anjanwatikar, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 31-08-2023 for filing rejoinder, if any. Interim relief granted earlier to continue till then.

ORIGINAL APPLICATION NO.471/2023
(Govind S. Surewad Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri V.B.Dhage, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. files affidavit in reply on behalf of the respondent nos.1 to 4. It is taken on record. Copy thereof be served on the other side.

3. S.O. to 31-08-2023.

YUK ORAL ORDER 08.08.2023

VICE CHAIRMAN

ORIGINAL APPLICATION NO.424/2023
(Lahu M. Chavan Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri Rakesh Jain, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. Today respondents were supposed to file sur-rejoinder as noted in the order passed on 04-08-2023 to the rejoinder filed by the applicant. Sur-rejoinder has not been filed.

3. Learned P.O. submits that officers were communicated, however, no one has responded. As such, **matter now stands reserved for order.**

ORIGINAL APPLICATION NO.634/2023
(Dr. Bhushan B. Rao Vs. The State of Maharashtra & Ors.)

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

DATE : 08-08-2023

ORAL ORDER :

Shri J.B.Choudhary, learned Counsel for the applicant, Shri I.S.Thorat, learned Presenting Officer for the respondent authorities and Shri A.S.Deshmukh, learned Counsel for respondent no.6, are present.

2. S.O. to 09-08-2023. Interim relief granted earlier to continue till then.

YUK ORAL ORDER 08.08.2023

VICE CHAIRMAN

ORIGINAL APPLICTION NO. 1080 OF 2022

(Dr. Pradnya Sadashiv Jadhav Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri M.R. Kulkarni, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered affidavit in rejoinder. The same is taken on record and copy of it is given to learned Presenting Officer.

3. List the matter for further consideration on 06.09.2023. Status quo granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICTION NO. 830 OF 2018
(Shailendra Hiranman Mali Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri S.B. Patil, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri M.V. Bhamre, learned counsel for the respondent No.5, are present.

2. At the request of learned P.O., S.O. to 30.08.2023 for final hearing. The respondents are directed to make available original record for perusal of this Tribunal.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 760 OF 2022
(Hitesh Sanjeev Vispute Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri Yogesh M. Patil, learned counsel for the respondent No.4, are present.

2. Affidavits in reply filed on behalf of the respondent Nos. 1 to 4 are taken on record and copies are given to other side.

3. S.O. to 09.08.2023 for hearing.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICTION NO. 35 OF 2023
(Narayan Dashrath Gayke Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. The applicant is not intending to file any rejoinder. List the matter for hearing on 05.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

M.A.NO. 202 OF 2023 IN O.A.NO. 155 OF 2023
(Avinash V. Raut Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Despite due opportunities given to the respondents, reply has not been filed. If reply is not filed on or before the next date, matter will be heard on merits on the same day.

3. List the matter for hearing on 14.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

**O.A. 432/2023 With M.A. 241/2023 IN O.A.436/2023
(Dr. Subhash P. Pawar Vs. the state of Maharashtra & Ors.)**

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

DATE : 08.08.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant in O.A.No. 432/2023, Ms. Poonam Bodke Patil, learned counsel for the applicant in M.A.No. 241/2023 in O.A.No. 436/2023, Smt. M.S. Patni & Shri I.S. Thorat, learned Presenting Officers for the respondent authorities in respective matters, and Shri Ganesh V. Mohekar, learned counsel for the respondent No.4 in O.A.No. 432/2023, are present.

2. At the request made on behalf of the respondents, time granted to file affidavit in reply by way of last chance.

3. S.O. to 11.09.2023. Status quo granted earlier in O.A.No. 432/2023 to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 433 OF 2023
(Dr. Shivaji J. Rathod Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri S.D. Joshi, 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 has sought time to file affidavit in reply on behalf of the respondents. Time granted by way of last chance.

3. S.O. to 11.09.2023. Status quo granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 392 OF 2023
(Vishnu Khandu Kore Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri R.K. Ashtekar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time granted to file affidavit in reply by way of last chance till 30.08.2023.

3. S.O. to 30.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICTION NO. 1140 OF 2022
(Rameshwar A. Harbhare Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri G.R. Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time granted to file affidavit in reply by way of last chance till 13.09.2023.

3. S.O. to 13.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 561 OF 2023
(Bhatu Annaji Awhad Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri K.B. Jadhav, 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 has submitted affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy of it is given to learned counsel for the applicant.
3. List the matter for further consideration on 25.08.2023. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if he so desires.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICTION NO. 508 OF 2023
(Shalini P. Bidarkar Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has submitted affidavit in reply on behalf of respondent Nos. 1 to 3. The same is taken on record and copy of it is given to learned counsel for the applicant.

3. List the matter for hearing on 07.09.2023. Interim relief, if any, granted earlier to continue till then. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if she so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1073 OF 2022

(Shri Gajanan Suryakant Bachipale & Anr. Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri S.R. Kolhare, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time granted to file affidavit in reply by way of last chance till 06.09.2023.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 497 OF 2023
(Ravindra P. Sathe Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

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

2. Learned Presenting Officer has sought time to file affidavit in reply. Time granted till 04.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 355 OF 2022
(Basveshwar J. Warad Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri P.P. Dama, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned counsel for the respondent No.4, are present.

2. Learned counsel for the applicant has submitted affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent Nos. 2 & 4. The same is taken on record and copy thereof has been served on the other side.

3. Despite due opportunities, affidavit in reply is not filed on behalf of respondent Nos. 1,3 & 5. Learned P.O. sought further time to file affidavit in reply. In the interest of justice, one more last chance is granted to file affidavit in reply on behalf of respondent Nos. 1,3 & 5. It is made clear that if no affidavit in reply is filed on or before the next date, the matter will be heard without affidavit in reply of respondent Nos. 1,3 & 5.

4. S.O. to 08.09.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 504 OF 2021
(Dilip Bhojusingh Rathod Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri Swapnil Deshmukh, learned counsel holding for Shri M.D. Godhamgaonkar, learned counsel for the applicant and Shri I.S. Thorat, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has sought time for producing the documents on record in support of his contentions. Time granted.

3. S.O. to 20.09.2023. Part heard.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

M.A.NO. 258/2023 IN O.A.ST. 758/2023
(Bharti V. Raut Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

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

2. Learned Presenting Officer has submitted affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy of it is given to learned counsel for the applicant.

3. List the matter for hearing on 12.09.2023. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if she so desires.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICTION NO. 470 OF 2023
(Ramesh P. Degloorkar Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri R.A. Joshi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has submitted affidavit in reply on behalf of respondent Nos. 1 & 2. The same is taken on record and copy of it is given to learned counsel for the applicant.

3. List the matter for hearing on 18.08.2023. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if he so desires.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 527 OF 2023
(Vidya A. Mohite Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri U.A. Khekale, learned counsel for the respondent Nos. 3 & 4, are present.

2. Learned counsel for the respondent Nos. 3 & 4 submits that these respondents do not intend to file any reply to the Original Application.

3. Government authorities have already filed their reply. List the matter for hearing on 23.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 349 OF 2023
(Suresh M. Hakke Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

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

2. Despite availing due opportunities, respondents have failed in filing the affidavit in reply.

3. List the matter for hearing on 30.08.2023.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICTION NO. 532 OF 2023
(Prashant C. Nikalje Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Ms. P.R. Wankhade, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has submitted the affidavit in reply on behalf of respondent Nos. 1 to 3. The same is taken on record and copy of it is given to learned counsel appearing for the applicant.

3. List the matter for further consideration on 28.08.2023. In the meanwhile, it would be open for the applicant to file affidavit in rejoinder, if he so desires.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 612 OF 2022
(Dr. Arun Bhimrao Morale Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri Suresh P. Salgar, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Pramod Pisal, learned counsel for the respondent Nos. 3 to 5, are present.

2. Learned Presenting Officer submits that during course of the day affidavit in reply on behalf of respondent Nos. 1 & 2 will be filed. Copy of it be served upon the learned counsel appearing for the applicant.

3. List the matter for hearing on 01.09.2023. Interim relief earlier to continue till then. In the meanwhile, it would be open for the applicant to file affidavit in rejoinder, if he so desires.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 519 OF 2023
(Dr. Kalidas V. Niras Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri G.V. Mohekar, learned counsel for the respondent No.4, are present.

2. At the request made on behalf of the respondents, time granted to file affidavit in reply by way of last chance.

3. S.O. to 11.09.2023. Status quo granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

ORIGINAL APPLICATION NO. 520 OF 2023

(Dr. Abasaheb Ansiram Jadhav Vs. the state of Maharashtra & Ors.)

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

DATE : 08.08.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri G.V. Mohekar, learned counsel for the respondent No.4, are present.

2. Await service of notice upon respondent No.1.
3. At the request made on behalf of the respondent Nos. 2 to 4, time granted to file affidavit in reply by way of last chance.
4. S.O. to 11.09.2023. Status quo granted earlier to continue till then.

VICE CHAIRMAN

SAS ORAL ORDER 08.08.2023

DATE :08.08.2023

ORIGINAL APPLICATION NO. 728 OF 2023

(Ravindra Vasantao Madkar V/s The State of Maharashtra & Ors.)

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

1. Shri D.P. Madkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 30.08.2023. The case be listed for admission hearing on **30.08.2023**.

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 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

DATE :08.08.2023

ORIGINAL APPLICATION NO. 705 OF 2023

(Santosh Zumbarlal Raut V/s The State of Maharashtra & Ors.)

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

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

2. Circulation is granted. Issue notices to the respondents, returnable on 30.08.2023. The case be listed for admission hearing on **30.08.2023**.

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 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

1. **ORIGINAL APPLICATION NO. 408 OF 2023**
(Dr. Suhas B. Jagtap Vs. State of Mah. & Ors.)
2. **ORIGINAL APPLICATION NO. 454 OF 2023**
(Dr. Manohar A. Wakle & Ors. Vs. State of Mah. & Ors.)
3. **ORIGINAL APPLICATION NO. 456 OF 2023**
(Dr. Balkrishna S. Lanjewar & Anr. Vs. State of Mah. & Ors.)

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

[These matters are placed before the Single Bench due to non-availability of Division Bench]

DATE : **08.08.2023**

ORAL ORDER :

Heard S/Shri V.B. Wagh & A.A. Nimbalkar, learned counsel for the respective applicants in respective OAs and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in all these matters.

Learned counsel Shri D.T. Devane has caused appearance for respondent No. 7 in O.A. No. 454/2023. He is also heard.

2. In all these matters the respondents were expected to file their affidavit in reply, however, it has not been filed. Learned counsel appearing for the applicants have brought to my notice the order passed in identical matters by the Principal Seat of this Tribunal at Mumbai on 1.6.2023 in O.A. No. 623/2023. Even otherwise after having considered pleadings raised in the O.A. and after

having gone through the amendment notified by the Notification dated 23.2.2022, I am convinced that *prima facie* case is made out by these applicants for grant of interim relief as has been prayed by them.

3. Learned counsel appearing for the applicants pointed out that the amendment and more particularly proviso is apparently violative of the constitutional provision under Article 14, 16 & 19 of the Constitution of India. Learned counsel invited my attention to the affidavit in reply filed in the identical matters before the Principal Seat of this Tribunal by the respondents. As has been explained in the said affidavit the Medical Officers who will be completing the age of 58 years before 31.5.2023 are given benefit of the aforesaid Notification, whereas the Medical Officers who will cross the age of 58 years after 31.5.2023 will retire at the end of the said month. Apparently, the provision appears to be discriminatory and considering the same Principal Bench of this Tribunal has taken some view, I adopt the same view and pass the following order: -

ORDER

(i) The respondents shall allow the present applicants to discharge their duties until further orders or till the applicants attain the age of 60 years whichever is earlier.

(ii) It is clarified that the applicants will not insist for their continuation on the post from which they have retired, if somebody else has been appointed on the said post.

(iii) The respondents shall ensure that the present applicants are given posting on the equivalent post. It is further clarified that if the applicants are noticed to have collected the retiral benefits, the present order may not be binding on the respondents.

(iv) S.O. to 1.9.2023.

VICE CHAIRMAN

**M.A.ST.1461/23 IN M.A.ST.1461/23 IN
O.A.ST.1395/23
(Vanita C. Dayate & Ors. Vs. State of Mah. & Ors.)**

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

[These matters are placed before the Single
Bench due to non-availability of Division
Bench]

DATE : 08.08.2023

ORAL ORDER :

Shri Mohanish V. Thorat, learned counsel for the
applicant and Shri S.K. Shirse, learned Presenting
Officer for the respondent authorities, are present.

2. S.O. to 9.8.2023.

VICE CHAIRMAN

ORAL ORDER 08.08.2023-HDD

**ORIGINAL APPLICATION NO. 707 OF 2023
(Shaikh Suleman Shaikh Haji Vs. State of Mah. & Ors.)**

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

[These matters are placed before the Single
Bench due to non-availability of Division Bench]

DATE : **08.08.2023**

ORAL ORDER :

Heard Shri Ganesh R. Jadhav, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 20.9.2023.
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 20.9.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 714 OF 2023
(Dr. Purushottam V. Bhorge Vs. State of Mah. & Ors.)

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

[These matters are placed before the Single
Bench due to non-availability of Division Bench]

DATE : **08.08.2023**

ORAL ORDER :

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

2. Issue notice to respondents, returnable on 23.8.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 23.8.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 715 OF 2023
(Dr. Rajendra U. Suryawanshi Vs. State of Mah. & Ors.)

CORAM : **Hon'ble Shri Justice P.R. Bora,**
Vice Chairman
[These matters are placed before the Single
Bench due to non-availability of Division Bench]

DATE : **08.08.2023**
ORAL ORDER :

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

2. Issue notice to respondents, returnable on 23.8.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 23.8.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

**M.A.NO. 349/2023 IN O.A.ST.NO. 1475/2023
(Namdeo N. Panchal Vs. State of Mah. & Ors.)**

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

[These matters are placed before the Single
Bench due to non-availability of Division
Bench]

DATE : 08.08.2023

ORAL ORDER :

Shri Govind R. Ingole, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Remove from the board.

VICE CHAIRMAN

ORAL ORDER 08.08.2023-HDD

**ORIGINAL APPLICATION NO. 365 OF 2023
(Trupti Vikram Andhare Vs. State of Mah. & Ors.)**

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

[These matters are placed before the Single Bench due to non-availability of Division Bench]

DATE : **08.08.2023**

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 08.08.2023-HDD

**ORIGINAL APPLICATION NO. 339 OF 2021
(Arun S. Jadhav Vs. State of Maharashtra & Ors.)**

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

[These matters are placed before the Single Bench due to non-availability of Division Bench]

DATE : **08.08.2023**

ORAL ORDER :

Shri Amol B. Chalak, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 08.08.2023-HDD

ORIGINAL APPLICATION NO. 366 OF 2023
(Nitin Bhimrao Kolekar Vs. State of Maharashtra & Ors.)

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

[These matters are placed before the Single Bench due to non-availability of Division Bench]

DATE : **08.08.2023**

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 01.09.2023.

VICE CHAIRMAN

ORAL ORDER 08.08.2023-HDD

**ORIGINAL APPLICATION NO. 716/2023
(Kailas G. Datkhil Vs. State of Maharashtra & Ors.)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **8.8.2023**

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The applicant entered into the Government services in the year 2013 on the post of Education Officer (Primary). In the year 2014, a criminal prosecution was initiated against the applicant for the offences punishable under the Prevention of Corruption Act. The departmental proceedings were also initiated against him for the same reason. The learned counsel for the applicant submitted that the special case against the applicant bearing special case no. 22/2014 has been decided by the learned Special Judge at Latur on 22.10.2022 and the applicant has been acquitted of the offences charged against him. The learned counsel further pointed out that the respondents have dropped the departmental proceedings filed against the applicant on 29.5.2023. The learned counsel pointed out that since the criminal prosecution was pending against the

applicant, as well as, the departmental proceedings were also initiated against him neither his probation period was permitted to be completed nor he was considered for promotion to the post of Deputy Director of Education. The learned counsel submitted that the applicant is entitled to be promoted on the said post. The learned counsel further pointed out that in the DPC meeting held in the year 2019-20 the applicant was under the zone of consideration however his case was kept in sealed cover till the decision in the criminal case is given. The learned counsel submitted that the DPC meeting is likely to be held in this month and hence in the said meeting case of the applicant is to be considered and his performance, which is kept in sealed cover in the last DPC will have to be considered by the DPC. The learned counsel in the circumstances while praying for issuance of notices to the respondents also prayed for interim relief thereby seeking directions against the respondents to issue order in respect of completion of probation and grant of permanency certificate forthwith and in the alternative has prayed for directions against the respondents to open the sealed cover and to consider the candidature of the applicant for promotion to the post of Deputy Director of Education.

3. The learned Presenting Officer has sought time to file the affidavit in reply. The learned P.O. submitted that in absence of the instructions he is unable to make any statement on the correctness of the facts as are stated in the O.A. The learned PO however, opposed for granting interim relief in the form it has been asked for by the applicant. The learned PO submitted that to grant such relief at this interim stage would amount to grant of final relief.

4. I have considered the submissions made on behalf of the applicant, as well as, the respondents. I have gone through the documents placed on record. The matter deserves to be considered on merits. The contention as has been raised by the learned PO that to grant the interim relief as has been asked for by the applicant would amount to grant of final relief possesses substance. No such relief can be granted at the interim stage. Hence, I pass the following order :-

ORDER

1. Issue notice to respondents, returnable on 8.9.2023.
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

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

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

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

6. S.O. to 8.9.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 1078/2023
(Balasaheb S. Ambore Vs. State of Maharashtra & Ors.
)**

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : 8.8.2023

ORAL ORDER :

Shri Sharad Ambore, learned counsel for the
applicant (**absent**). Shri I.S. Thorat, learned Presenting
Officer for the respondent authorities, is present.

2. S.O. to 29.8.2023.

VICE CHAIRMAN

ARJ ORAL ORDER 8.8.2023

ORIGINAL APPLICATION NO. 142/2023
(Deelipkumar B. Khedkar Vs. State of Maharashtra & Ors.)

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

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **8.8.2023**

ORAL ORDER :

Heard Shri A.N. Nagargoje, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, the learned Chief Presenting Officer has sought time to file the affidavit in reply by way of last chance and has undertaken to file the reply within 2 weeks. The learned counsel for the applicant has opposed for granting such time stating that the respondents have filed caveat in the matter and in the circumstances they were supposed to be ready with their reply and should not have asked further time to file the reply. The learned counsel submitted that the applicant has been apparently for wrong reasons reverted from the post of Superintendent to the post of Head Clerk and prima-facie material in that regard is placed on record by the applicant. He, therefore, insisted for interim order as has been prayed in the O.A.

3. I have gone through the pleadings of the parties. When the matter is now posted for reply of the respondents and when the undertaking has been given by the respondents to file the reply within 2 weeks, it would be in the fitness of the thing to wait for reply and then priority may be given to hear the present matter having regard to the circumstances mentioned in the O.A.

4. The learned counsel for the applicant made one more prayer that his son is special child and required some special attention, which is not possible for the applicant at the place where he has been transferred after his reversion. The learned counsel submitted that at Aurangabad the post has become available and the applicant for time being can be brought back to Aurangabad.

5. In the above circumstances, I deem it appropriate to direct the applicant to make a formal representation with the respondents and the respondents shall consider the request so made during the pendency of the present O.A. If a representation is made by the applicant, the same shall be considered and decision shall be taken thereon on or before the next date.

6. S.O. to 22.8.2023.

VICE CHAIRMAN