

**ORIGINAL APPLICATION NO. 348 OF 2024**  
**(Shubham W. Ramasane Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, Shri A.A. Khande, learned counsel for respondent No. 4, are present.

2. At the request of learned counsel for respondent No. 4, S.O. to 29.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 224 OF 2024**  
**(Subhash B. Selukar & 4 Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 22.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 596 OF 2024**  
**(Abdul M. Saudagar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Smt. Rutuja Kulkarni, learned counsel holding for Shri A.S. Bayas, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 19.08.2024 for hearing. Status quo granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 492 OF 2023**  
**(Dr. Jagannath G. Kundkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Ms. Preeti Wankhade, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that during the course of the day rejoinder affidavit will be filed.

3. S.O. to 19.08.2024 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 677 OF 2024**  
**(Nana T. Ware Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri Rahul Dhase, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned counsel Smt. Sunita D. Shelke, submits that she has instructions to appear on behalf of respondent Nos. 3 to 5 and thus seeks time to file affidavit in reply. Time granted.

3. S.O. to 09.09.2024.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 608 OF 2024**  
**(Gautam S. Bhalerao Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri S.R. Dheple, learned counsel for the applicant (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits separate affidavits in reply on behalf of respondent Nos. 1 to 3 & 4 respectively. Same are taken on record along with spare copies for the applicant.

3. S.O. to 10.09.2024 for filing rejoinder affidavit, if any.

**MEMBER (J)**

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

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri Amol Gandhi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. The office has raised an objection that the present Original Application is barred by limitation.

3. Learned counsel for the applicant seeks time to file application for condonation of delay. Time granted.

4. S.O. to 23.08.2024.

**MEMBER (J)**

**M.A. No. 322/2024 in O.A. No. 708/2024**  
**(Sbhobhabai M. Patil & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant (**Leave Note**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 26.08.2024.

**MEMBER (J)**

KPB ORAL ORDER 08.08.2024



**M.A. No. 335/2024 in O.A. No. 817/2024**  
**(Satish A. Patole Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)**  
**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri S.S. Shinde, learned counsel holding for Shri P.B. Kadam, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 09.09.2024.

3. Tribunal may take the case for final disposal at this stage and 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 within one week. Applicant is directed to file Affidavit of compliance and notice.

7. S.O. to 09.09.2024.

8. Steno copy and hamdust is allowed to both the sides.

**MEMBER (J)**

KPB ORAL ORDER 08.08.2024

**M.A. No. 359/2024 in O.A. St. No. 2489/2023**  
(Sangita K. Sonwane & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri V.C. Suradkar, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. All the applicants are Agriculture Assistants working in the same department and by filing Original Application they are seeking the same relief on the same cause of action.

3. In view of the same and for the reasons stated in the application, the M.A. No. 359/2024 is hereby allowed and the applicants are permitted to sue jointly O.A. as filed by them for seeking direction to the respondents to grant the benefit of old pension scheme to them, subject to payment of court fee stamps, if not paid.

4. The M.A. No. 359/2024 stands disposed of accordingly. No order as to costs.

**MEMBER (J)**

**O.A. St. No. 2489/2023**

**(Sangita K. Sonwane & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri V.C. Suradkar, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. It appears that the office has raised certain objections that page Nos. 44 to 71 are not readable.

3. Learned counsel for the applicants on instructions submits that the applicants would not rely on those pages in the present Original Application.

4. Issue notices to the respondents, returnable on 16.10.2024.

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

6. Applicants are 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.

7. 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.

8. 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 within one week. Applicants are directed to file Affidavit of compliance and notice.

9. S.O. to 16.10.2024.

10. Steno copy and hamdust is allowed to both the sides.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 814 OF 2024**  
**(Pandurang G. Gamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri S.S. Shinde, learned counsel holding for Shri Vivek Bhavthankar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. The applicant is seeking direction to the respondents to grant him second time bound promotion benefits.
3. Issue notices to the respondents, returnable on 17.10.2024.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. 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.
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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. S.O. to 17.10.2024.
9. Steno copy and hamdust is allowed to both the sides.

**MEMBER (J)**

KPB ORAL ORDER 08.08.2024

**ORIGINAL APPLICATION NO. 833 OF 2024**  
**(Ganesh Jalindar Narhare Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri A.R. Kawade, learned counsel holding for Shri C.R. Thorat, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that during pendency of the present Original Application, by order/ communication dated 02.08.2024, the respondent No. 3 i.e. the Sub-Divisional Officer, Vaijapur has revoked the suspension of the applicant, who is working as Police Patil and it is further stated in the said communication / order that the said revocation of suspension would subject to outcome of the crime registered in the concerned Police Station.

3. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application with liberty to the applicant to prefer Original Application in case any adverse order

is passed against him after the said criminal case is disposed of.

//2//

O.A. No. 833/2024

4. Leave granted. The Original Application is disposed of as withdrawn with liberty to the applicant as aforesaid. No order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 08.08.2024

**ORIGINAL APPLICATION NO. 839 OF 2024**  
**(Vasant Dattu Nighote Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri Yogesh Kale, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant is Class-III employee. However, inadvertently in the pleadings of the O.A. it is mentioned that the applicant is Class-II employee at the time of his retirement. Leave to correct the same.

3. Learned counsel for the applicant submits that the order of revised pay scale is under challenged, so also consequential recovery. The applicant is now retired as Senior Clerk, Class-III employee.

4. Issue notices to the respondents, returnable on 05.09.2024.

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



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O.A. No. 839/2024

6. 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.

7. 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.

8. 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 within one week. Applicant is directed to file Affidavit of compliance and notice.

9. S.O. to 05.09.2024.

10. Steno copy and hamdust is allowed to both the sides.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 845 OF 2024**  
**(Gajanan S. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri Yuvraj Kakade, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 21.08.2024. **The present matter be kept along with O.A. No. 830/2024.**

3. Tribunal may take the case for final disposal at this stage and 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 within one week. Applicant is directed to file Affidavit of compliance and notice.

7. **Learned P.O. is directed to take instructions as to whether the post of Tahsildar / Manager, Shri Tuljabhavani Mandir Trust, Tuljapur, Dist. Dharashiv is at present vacant or not till the next date of hearing.**

8. S.O. to 21.08.2024.

9. Steno copy and hamdust is allowed to both the sides.

**MEMBER (J)**

KPB ORAL ORDER 08.08.2024

**ORIGINAL APPLICATION NO. 846 OF 2024**  
**(Udaysinh D. Bhosale Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri Jiwan Patil, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Leave to correct ground (D) to the extent of word 'thrice', which is inadvertently written instead of 'twice' and word 'one' instead of 'two'.

3. Issue notices to the respondents, returnable on 21.08.2024.

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

5. 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.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure)

//2// O.A. No. 846/2024

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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

**8. Learned P.O. is directed to call the original record including minutes of meeting of the Civil Services Board, if any.**

8. S.O. to 21.08.2024.

10. Steno copy and hamdust is allowed to both the sides.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 616 OF 2018**  
**(Kokane Govind Revana Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri Asif Ali, learned counsel holding for Smt. A.N. Ansari, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the applicant came to be retired as Talathi on 31.01.2014. Learned counsel submits that in connection with the criminal case initiated against the applicant, he was convicted on 03.04.2014. Being aggrieved by the same, the applicant has preferred appeal against the conviction bearing Criminal Appeal No. 2548/2014, which is still pending before the Hon'ble High Court of Bombay, Bench at Aurangabad. Learned counsel submits that no departmental enquiry came to be initiated against the applicant during this period. Learned counsel submits that right from the date of retirement i.e. 31.01.2014 till date, no provisional pension has been granted to the applicant.

//2//

O.A. No. 616/2018

3. Learned Presenting Officer is directed to take specific instructions in this regard from the concerned respondent/s.

4. Learned Presenting Officer submits that this Tribunal has orally directed on the last date about the same, however, the respondent Tahsildar concerned has requested for time, since the office record is missing.

5. S.O. to 29.08.2024 for hearing **in urgent admission category**.

6. In case, if the instructions are not received till that time, learned Presenting Officer is directed to keep respondent No. 3 – Tahsildar, Omerga, Dist. Osmanabad present in person before this Tribunal.

**MEMBER (J)**

**M.A. No. 567/2019 in O.A. St. No. 2091/2019  
(Baburao Kerba Kamble Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri R.D. Biradar/Shakil U Shaikh, learned counsel for the applicant (**Absent**). Heard Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Even though by order dated 04.07.2024 last chance was given to the applicant and his counsel for hearing, however, none present for the applicant. M.A. No. 567/2019 is hereby dismissed in default. No order as to costs.

**MEMBER (J)**

KPB ORAL ORDER 08.08.2024

**ORIGINAL APPLICATION NO. 174 OF 2017**  
**(Dr. Madhav F. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. In compliance with the directions issued by this Tribunal on 03.07.2024, learned Presenting Officer submits short affidavit. Same is taken on record and copy thereof is given to learned counsel for the applicant today itself. Learned P.O. submits that along with the said short affidavit, entries in the service book are also annexed.

3. Learned counsel for the applicant seeks time to go through the said short affidavit and annexures and make appropriate submissions on the next date of hearing. Time granted.

4. S.O. to 20.08.2024 for final hearing.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 554 OF 2019**  
**(Ashok V. Gade Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri Ashish Rajkar, learned counsel holding for Shri S.B. Pawar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present. Shri S.B. Mene, learned counsel for respondent Nos. 2 and 3 (**Leave Note**).

2. In view of leave note filed by learned counsel for respondent Nos. 2 & 3, S.O. to 07.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 233 OF 2022**  
**(Sudhakar Y. Dandge Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri R.O. Awasarmol, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Leave to file typed copy of certain documents along with rejoinder affidavit to the affidavit in reply filed on behalf of respondent Nos. 1 to 3.

3. Learned counsel for the applicant submits that the applicant has already filed rejoinder affidavit to the affidavit in reply filed on behalf of respondent No.4.

4. S.O. to 26.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 376 OF 2022**  
**(Priyanka S. Bansode Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri S.D. Joshi, learned counsel for the applicant (**Leave Note**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 08.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 455 OF 2022**  
**(Satilal Z. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri A.D. Sugdare, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. By order dated 25.06.2024, this Tribunal permitted the applicant to correct the date of eligibility of the applicant for grant of deemed date as the same shall be 01.02.1992

3. Learned counsel for the applicant submits that time may be extended to carry out the amendment and the said correction will be carried out during the course of the day.

4. Time granted till today. Leave granted to correct the aforesaid date during the course of the day.

5. S.O. to 02.09.2024 for hearing.

**MEMBER (J)**

**M.A. St. No. 813/2024 in O.A. No. 929/1999**  
(Narayan N. Wakchaure died though legal heirs Smt. Suman Narayan  
Wakchaure & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri I.S. Thorat, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. The present matter is not on board. At the request of learned counsel for the applicant, it is taken on board.

3. The time is extended for deletion of prayer clause 10(B) of M.A. as directed.

**MEMBER (J)**

KPB ORAL ORDER 08.08.2024

**O.A. No. 10/2022 and O.A. No. 269/2022**  
**(Akash T. Jadhav & Sharad V. Andure & Ors. Vs. State of**  
**Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

S/shri A.D. Aghav & G.R. Jadhav, learned counsel holding for Shri A.S. Shelke, learned counsel for the applicants in respective O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in O.A. No. 10/2022, are present. Shri M.P. Gude, learned counsel for respondent Nos. 1 to 3 in O.A. No. 269/2022, is **absent.**

2. At the request of learned counsel for the applicants, S.O. to 21.08.2024 for hearing.

**MEMBER (J)**

**O.A. NOS. 543/2019, 970/2022, 366/2022, 649/2022, T.A. 12/2023 (W.P. 6494/2022), 33/2023, 39/2022, 173/2022, 410/2022, 01/2020, 781/2021, 1036/2022, 647/2023, 18/2024 AND 793/2023**  
(Shivprasad C. Potpalliwar & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard S/Shri G.J. Karne, Shri N.P. Bangar, K.B. Jadhav, R.P. Adgaonkar, A.V. Thombre holding for Shri A.S. Thombre, learned counsel holding for Shri S.S. Thombre, V.B. Dhage, V.P. Kadam, N.P. Dube, Mujahed Hussain, A.R. Tapse, A.D. Gawale, V.B. Wagh, B.B. Kulkarni & A.B. Rajkar, learned counsel for the respective applicants in respective O.As. and Shri D.M. Hande, learned Presenting Officer for the respondent authorities in all these O.As.

Shri S.D. Joshi, learned counsel for the applicant in O.A. No. 649/2022 and Shri S.B. Mene, learned counsel for respondent No. 2 & 3 in O.A. 543/2019 & O.A. 973/2022, for respondent Nos. 3 to 6 in O.A. No. 970/2022 & for respondent Nos. 3 & 4 in O.A. 783/2022 (**Leave Note**). Shri M.P. Gude, learned counsel for respondent No. 1 & 3 in O.A. 269/2022 and Shri N.N. Desale,, learned counsel for respondent No. 3 in O.A. No. 793/2023, are absent.

//2//

2. All the Advocates representing applicants on instructions submit that all these matters may be removed from the board and they have no objection for placing the same before the ensuing Lok-Adalat in view of the judgment delivered by the Full Bench of Hon'ble Bombay High Court, Bench at Nagpur vide order dated 28.5.2024 in W.P. No. 3701/2022.

3. Learned Presenting Officer has not objection for it.

4. In view of above, the present matters shall be listed before the ensuing Lok-Adalat.

**MEMBER (J)**

KPB ORAL ORDER 08.08.2024



**M.A. No. 399/2021 in O.A. St. No. 1725/2021  
(Sunanda B. Maske & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. There is a delay of 05 years, 10 months and 29 days caused in filing the accompanying Original Application.

3. Learned counsel for the applicants submits that by filing the Original Application, the applicants are seeking directions to respondents to consider the applications of applicant No. 1 for substituting the name of applicant No. 2 in place of applicant No. 1 for appointment on compassionate ground. Learned counsel further submits that the applicant No. 1 is widow of deceased Government employee and applicant No. 2 is her son. After death of her husband/Government employee, the applicant No. 1 had filed application for compassionate appointment and her name was taken in the waiting list in the

//2// M.A. No. 399/2021 in  
O.A. St. No. 1725/2021

year 2005. However, till the year 2012, she was not given the compassionate appointment. On the other hand, the respondents have informed to the applicant No. 1 that her applications were not considered, as she has crossed the age of 40 years. Learned counsel submits that meanwhile the Government while introducing G.R. dated 06.12.2010 the age limit is extended till the age of 45 years. Thus the applicant No. 1 time and again filed applications seeking compassionate appointment. However, her representations were not considered. Even though in the year 2014 the respondent No. 2 has directed respondent No. 4 to give compassionate appointment to applicant No. 1 by letter dated 23.01.2014, as she is crossing the age of 45 years. However, nothing has been done on that representation. Consequently in the year 2014 itself, the applicant has submitted application / representation on 11.07.2014 to substitute and include the name of applicant No. 2 in place of her and to give compassionate appointment to application No. 2. However, the said representation yet not decided by the respondent authorities.

//3// M.A. No. 399/2021 in  
O.A. St. No. 1725/2021

Learned counsel submits that thus the cause of action is recurring, since the said representation is still not decided. The applicants are also seeking directions in the O.A. to decide the representation dated 11.07.2014. Learned counsel submits there is no intentional or deliberate delay as such and there is no inaction on part of the applicant. Learned counsel thus submits that the delay may be condoned.

4. Learned Presenting Officer submits that there is an inordinate delay caused in filing the accompanying Original Application, for which no satisfactory explanation has been tendered by the applicant. Learned P.O. submits that there is no substance in the present M.A. seeking condonation of delay and the same is liable to be dismissed.

5. It appears that though the name of applicant No. 1 was enrolled in the waiting list maintained for grant of compassionate appointment on account of death of her husband /Government servant, who died in harness, however, till the year 2014 she was not given compassionate appointment. Even by

//4// M.A. No. 399/2021 in  
O.A. St. No. 1725/2021

introduction of G.R. dated 06.12.2010, the age limit is extended from 40 years to 45 years, the applicant No. 1 has not given compassionate appointment. In the year 2014 and more precisely on 11.07.2014 the applicant No. 1 has submitted the application / representation for substitution. However, the respondents have not considered the same till date. In view of the same, I am agree with the submissions made on behalf of the applicants that the cause of action still subsisting. I am thus inclined to condone the delay caused in filing the accompanying Original Application, as there is no deliberate or intentional delay as such and there is no inaction on part of the applicants, subject to payment of some costs by the applicant. Hence, the following order :-

**ORDER**

- (i) The Misc. Application No. 399/2021 is hereby allowed.
- (ii) The delay of 05 years, 10 months and 29 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act,

//5// M.A. No. 399/2021 in  
O.A. St. No. 1725/2021

1985 is hereby condoned, subject to payment of costs of Rs. 500/- (Five Hundred Only) to be paid by the applicants. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order.

- (iii) 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.
- (iv) The M.A. accordingly disposed of.

**MEMBER (J)**

**O.A. St. No. 1725/2021**

**(Sunanda B. Maske & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. After registration, issue notices to respondents, returnable on 28.09.2024.

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

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

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

//2//

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. Applicants are directed to file affidavit of compliance and notice.

7. Learned counsel for the applicants on instructions submits that the present matter may be placed before the ensuing Lok-Adalat in view of the judgment delivered by the Full Bench of Hon'ble Bombay High Court, Bench at Nagpur vide order dated 28.5.2024 in W.P. No. 3701/2022. Learned counsel submits that the applicant No. 2, who is present before this Tribunal would submit the consent from in the office.

8. In view of above, list the matter before the ensuing Lok-Adalat, since the learned Presenting Officer at present has no objection for the same.

9. S.O. to 28.09.2024.

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

**MEMBER (J)**

**M.A. No. 105/2024 in O.A. St. No. 549/2024**  
**(Swapnil L. Pachlekar & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. There is a delay of 07 months and 10 days caused in filing the accompanying Original Application.

3. The Original Application is pertaining to compassionate appointment. Learned counsel for the applicants submits that due to certain health issues of mother of the applicant No. 1 and financial constraints, the delay has been occurred. There is no intentional or deliberate delay as such and there is no inaction on part of the applicants. Learned counsel thus submitted that the delay may be condoned.

4. Learned Presenting Officer submits that the delay is not properly explained by the applicants and therefore, the present Misc. Application seeking condonation of delay may be rejected.



//2// M.A. No. 105/2024 in  
O.A. St. No. 549/2024

5. It appears that there is a delay of 07 month and 10 days caused in filing the accompanying Original Application. It further appears that both the applicants are prevented from sufficient cause to approach this Tribunal within time due to health issues of application No. 2, who is the widow of deceased Government employee, who died in harness and the applicant No. 1 would not be approached this Tribunal due to financial constraints. There is no intentional or deliberate delay and there is no inaction on part of the applicants. I am thus inclined to condone the delay caused in filing the accompanying Original Application, subject to payment of some costs by the applicants. Hence, the following order :-

**ORDER**

- (i) The Misc. Application No. 105/2024 is hereby allowed.
- (ii) The delay of 07 months and 10 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned, subject to payment of costs

//3// M.A. No. 105/2024 in  
O.A. St. No. 549/2024

of Rs. 500/- (Five Hundred Only) to be paid by the applicants. The amount of costs shall be paid to the M.A.T. Bar Association within a period of one month from the date of this order.

- (iii) 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.
- (iv) The M.A. accordingly disposed of.

**MEMBER (J)**

**O.A. St. No. 549/2024**

**(Swapnil L. Pachlekar & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned counsel for the applicants and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities.

2. After registration, issue notices to respondents, returnable on 28.09.2024.

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

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

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

//2//

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. Applicants are directed to file affidavit of compliance and notice.

7. Learned counsel for the applicants on instructions submits that the present matter may be placed before the ensuing Lok-Adalat in view of the judgment delivered by the Full Bench of Hon'ble Bombay High Court, Bench at Nagpur vide order dated 28.5.2024 in W.P. No. 3701/2022. Learned counsel submits that he will submit the consent from in the office.

8. In view of above, list the matter before the ensuing Lok-Adalat, since the learned Presenting Officer at present has no objection for the same.

9. S.O. to 28.09.2024.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 847 OF 2022**  
**(Keshav G. Lohar Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri A.D. Gadekar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. This Original Application pertains to the recovery from the retiral funds i.e. gratuity of the applicant on account of wrong pay fixation done in the year 1996. Learned counsel for the applicant submits that the applicant came to be retired on 28.02.2013 and the re-fixation was done two weeks prior to the retirement of the applicant i.e. on 11.02.2013. Learned counsel for the applicant submits that the applicant came to be retired as Class-III employee and as such, covered by the ratio laid down by the Hon'ble Apex Court in a case of **State of Punjab and Ors. Vs. Rafiq Masih (White Washer) Etc. in Civil Appeal No. 11527 of 2024 (Arising out of SLP (C) No. 11684 of 2012).**

//2// O.A. 847/2022

3. Learned counsel on instructions from the applicant submits that this matter may be placed before the **Lok Adalat**.

4. Learned P.O. submits that this matter may be listed in the identical group of matters directed to be placed before the **Lok Adalat**.

5. In view of above, list the present O.A. before the ensuing **Lok Adalat** scheduled to be held on 21.09.2024.

**MEMBER (J)**

SAS ORAL ORDER 08.08.2024

**ORIGINAL APPLICATION NO. 997 OF 2022**  
**(Rekha D. Shinde & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri S.N. Suryawanshi, learned counsel for the applicants, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant.
3. S.O. to 14.10.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1155 OF 2022**  
**(Sagar A. Zinzurde Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri L.V. Sangit, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to file an application for amendment to add certain pleadings in terms of the observations made by this Tribunal while disposing of the M.A.No. 137/2020 so also other grounds. Time granted.

3. Learned counsel for the applicant submits that by order dated 03.12.2020 the respondents turned down the request of the applicant to consider him for compassionate appointment and said order is submitted along with the reply. Therefore, the amendment is necessary to challenge the said order also.

4. S.O. to 30.08.2024.

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 845 OF 2022  
(Mayur M. Kakade Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri D.S. Mutulik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.
3. S.O. to 27.08.2024 for further hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 40 OF 2024**  
**(Aditya Y. Suryawanshi & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri H.P. Jadhav, learned counsel for the applicants and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.10.2024 for hearing.

**MEMBER (J)**

SAS ORAL ORDER 08.08.2024

**ORIGINAL APPLICATION NO. 775 OF 2022**  
**(Satish P. Deshmukh Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri A.B. Rajkar, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits the copy of office order dated 15.03.2024. The same is taken on record and marked as document 'X' for identification. Learned counsel for the applicant on instructions submits that in terms of the aforesaid office order, nothing survives for further consideration and the purpose of filing of this Original Application is fulfilled.

3. In view of above submissions, this Original Application is disposed of as become infructuous. No order as to costs.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 698 OF 2023**  
**(Suresh R. Warade Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. This is a part heard matter.

3. In compliance with the directives issued in the order dated 30.07.2024, learned P.O. submits the short affidavit of the concerned respondents. The same is taken on record and copy thereof is given to learned counsel appearing for the applicant today itself.

4. Learned P.O. submits that the original record and proceedings will also be received during course of the day.

5. Learned counsel for the applicant seeks time to go through the same and make appropriate submissions. Time granted.

//2// O.A. 698/2023

6. Learned Presenting Officer is directed to keep the original record and proceedings with him till completion of hearing.

7. S.O. to 21.08.2024 for further hearing. The interim relief granted earlier to continue till then.

**MEMBER (J)**

SAS ORAL ORDER 08.08.2024

**ORIGINAL APPLICATION NO. 73 OF 2024**  
**(Dipak N. Dongare & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri P.V. Suryawanshi, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicants submits that this matter is covered by the view taken by this Hon'ble Tribunal in O.A.No. 821/2021 along with other connected matters.

3. Learned Presenting Officer seeks time to verify the same. Time granted.

4. S.O. to 26.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 776 OF 2023**  
**(Dr. Prakash L. Gattani Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Smt. Archana Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri Saket Joshi, learned counsel holding for Shri A.S. Deshmukh, learned counsel for respondent No.2, are present.

2. By consent of parties, S.O. to 19.08.2024 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 536 OF 2020**  
**(Ravi U. Vanjari Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri G.J. Karne, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 21.08.2024 as a last chance for hearing.

**MEMBER (J)**

SAS ORAL ORDER 08.08.2024



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

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that in any case by Monday the affidavit in reply will be filed in the present matter. The request is accepted.

3. S.O. to 12.08.2024. It is made clear that, if the affidavit in reply is not filed on or before the next date, the matter will be heard without affidavit in reply of the respondents.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 08.08.2024-HDD

**M.A.NO. 540/2023 IN O.A.ST.NO. 2030/2023**  
**(Kalidas Adinathrao Bhairat Vs. The State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri Abhishek Deshpande, learned counsel holding for Shri C.V. Dharurkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned counsel for the applicant, reissue notice to respondent No. 5 in M.A. No. 540/2023, returnable on 08.10.2024.

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

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

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

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

7. S.O. to 08.10.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**C.P.NO. 43/2023 IN O.A.NO. 09/2022**  
(Dr. Prithviraj K. Chavan Vs. The State of Maharashtra & Ors.)

**C.P.NO. 44/2023 IN O.A.NO. 984/2019**  
(Dr. Prithviraj K. Chavan Vs. The State of Maharashtra & Ors.)

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri Shamsunder B. Patil, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in both the matters.

2. In the present petitions affidavits in reply have already been filed. List the matters for hearing on 09.10.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 08.08.2024-HDD

**ORIGINAL APPLICATION NO. 723 OF 2023**  
(Santosh C. Sabale & Ors. Vs. The State of Maharashtra & Ors.)

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri Sachin Tambe, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondents.

2. At the request of learned counsel for the applicants, issue fresh notices to the respondents, returnable on 07.10.2024.

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

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

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

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

7. S.O. to 08.10.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 988 OF 2022**  
**(Dr. Nitinkumar B. Shah Vs. The State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

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

2. The present matter has been wrongly shown in the 'await service category'. The learned counsel for the applicant has submitted that all the respondents are duly served and affidavits in reply on behalf of respondent Nos. 1 & 4 have already been filed. In view of above, await service remark be removed.

3. List the matter for hearing on 07.10.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 08.08.2024-HDD

**ORIGINAL APPLICATION NO. 140 OF 2023**  
**(Farukh Nasir Pinjari Vs. The State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri A.C. Sisodiya, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondents, are present.

2. Affidavit in reply on behalf of respondent Nos. 2, 3 & 5 has already been filed. Today, time is sought for filing affidavit in reply of respondent No. 1. Sufficient time has already been granted. Hence, request stands rejected.
3. List the matter for hearing on 03.10.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 08.08.2024-HDD

**M.A.NO. 319/2023 IN O.A.ST.NO. 1077/2023**  
**(Khushal Bhagwan Nemade Vs. The State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri H.S. Bali, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondents.

2. The present matter is not on board. It is taken on board at the request of learned counsel for the applicant.

3. At the request of learned counsel for the applicant, issue fresh notice to respondent No. 2 on corrected address, returnable on 07.10.2024.

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

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

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

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

8. S.O. to 07.10.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 08.08.2024-HDD

**ORIGINAL APPLICATION NO. 208 OF 2024**  
**(Sangita Ashruba Chitale Vs. The State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Shri R.C. Bhranhankar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present case is not on board. It is taken on record board at the request of learned counsel for the applicants.

3. Learned counsel appearing for the applicant submits that by order dated 29.07.2024 this Tribunal permitted the applicant to carry out amendment in the O.A. but inadvertently the amendment is not carried out. Today, learned counsel seeks extension of one week's time to carry out the amendment in the O.A. Time is extended. Learned counsel for the applicant shall carry out the necessary amendment in O.A. within a period of one week.

4. S.O. to 18.09.2024.

**MEMBER (A)**

**VICE CHAIRMAN**



**C.P. NO. 73/2023 IN O.A. NO. 620/2023**  
**(Anita Jagdish Bhaltilak Vs. The State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Shri A.S. Osmanpurkar, learned counsel holding for Shri Sachin Deshmukh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. When the present matter is taken up for consideration, learned counsel Shri Osmanpurkar holding for learned counsel Shri Sachin Deshmukh for the applicant in the present matter submits that due to some emergent work learned counsel Shri Deshmukh may not be appear before this Tribunal and conduct the present matter. He, therefore, sought 2-3 days' accommodation. Granted. Learned counsel, on instructions, submitted that the applicant is not intending to sit on hunger strike.

3. S.O. to 13.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 714 OF 2024**  
**(Abhay Devidas Murumkar Vs. The State of Maharashtra & Ors.)**

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Vikas S. Pawar, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 03.10.2024.

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

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

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

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

7. S.O. to 03.10.2024.

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

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 633 OF 2024**  
**(Sandeep Arvind Patil Vs. State of Maharashtra & Ors.)**

**ORIGINAL APPLICATION NO. 652 OF 2024**  
**(Samidha S. Survase & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 08.08.2024**

**ORAL ORDER :**

**O.A.NO. 633/2024**

Shri Ajay S. Deshpande, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

**O.A.NO. 652/2024**

Shri S.D. Joshi, learned counsel for the applicant has filed **leave note**.

Shri Dilip Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer for the respondents.

4. S.O. to 30.08.2024.

**MEMBER (A)**

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 307 OF 2024**  
(Pravin D. Chaware & Ors. Vs. The State of Maharashtra & Ors.)

**ORIGINAL APPLICATION NO. 313 OF 2024**  
(Vinayak V. Nakhate & Ors. Vs. The State of Maharashtra & Ors.)

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

**DATE : 08.08.2024**

**ORAL ORDER :**

Heard Ms. Pradnya Talekar, learned counsel for the applicants in O.A. No. 307/2024, Shri Ajay Deshpande, learned counsel for the applicants in O.A. No. 313/2024, Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities in both the OAs, Shri Avinash S. Deshmukh, learned counsel for respondent Nos. 4, 8, 9, 11 & 15, Shri V.B. Wagh, learned counsel for respondent Nos. 5, 6, 14, 16 & 17 and Shri Yashodeep Deshmukh, learned counsel holding for Shri A.D. Kawre, learned counsel for respondent No. 10 in O.A. No. 307/2024.

2. When these matters are taken up for hearing, learned Chief Presenting Officer has tendered communication dated 07.08.2024 received to his office from the Government. From the communication it reveals that the application is preferred before the

Principal Seat of this Tribunal at Mumbai praying for clubbing all the matters with the one which is filed before the Principal Seat at Mumbai and matters which are being heard by this Bench. Learned Chief Presenting Officer, therefore, has prayed for adjourning the present matters to a suitable next date.

3. Shri Yashodeep Deshmukh, learned counsel appearing on behalf of respondent No. 10 submitted that yesterday only the O.A. No. 395/2024 has been withdrawn by the applicants therein. Learned counsel, on instructions, further submitted that similar matters filed before the Nagpur Bench of this Tribunal also have been withdrawn. The order permitting withdrawal of O.A. No. 395/2024 is placed on record by the learned counsel. Referring to the facts as aforesaid learned counsel submitted that the application, if any filed for clubbing all the matters filed by the State has thus become redundant and in the circumstances there is no impediment for proceeding in the present matters, which are part heard.

4. Shri Avinash Deshmukh, learned counsel for respondent Nos. 4, 8, 9, 11 & 15 submitted that the private respondents are not added as party respondents in the matters before the Principal Bench. It has to be

further recorded that the present matters have been for hearing since last three dates and substantive arguments are already heard in the present matters. The said fact does not seem to have been brought to the notice of the Principal Seat at the time of hearing of said matters. Now when the said OAs have already been withdrawn, the request made for clubbing the matters does not survive and there seems no impediment to proceed further with the matters before this Tribunal.

5. In view of the submissions made as aforesaid, the request made by learned C.P.O. seeking adjournment on the ground that application for clubbing the matter is pending before the principal seat of this Tribunal deserves to be rejected and is accordingly rejected.

6. Shri Yashodeep Deshmukh, learned counsel appearing for respondent No. 10 has tendered written submissions on behalf of the said respondent and the same is taken on record and copy thereof has been given to all concerned.

7. Learned counsel for the applicants Ms. Pradnya Talekar submitted that she may be permitted to place on record short synopsis. Permission granted. The same

**::-4-:: O.A. NOS. 307 & 313/ 2024**

may be placed on record by 12.08.2024 and copy of the same be provided to all concerned.

8. Arguments on behalf of all the parties are heard and concluded. The matters stand reserved for orders.

**MEMBER (A)**

**VICE CHAIRMAN**

ORAL ORDER 08.08.2024-HDD