

M.A. NO. 462/2024 IN O.A. NO. 393/2024
(Dr. Shaikh Wahab Ayub Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Shri K.B. Bhise, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 15.10.2024. The interim relief, if any, granted in O.A. to continue till then.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 08.10.2024

ORIGINAL APPLICATION NO. 28/2023
(Vijay R. Sarole Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. None appears for respondent no. 03.

2. S.O. to 28.10.2024. The interim relief, if any, granted in O.A. to continue till then.

MEMBER (A)

VICE CHAIRMAN

C.P. NO. 20/2024 IN O.A. NO. 792/2023
(Smt. Jyoti Rajaram Pawar Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri S.S. Thombre, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. In the present Contempt Petition notice in form No. III has been served upon respondent no. 02 and accordingly the said respondent has caused his appearance through learned Chief Presenting Officer. Learned C.P.O. has tendered communication dated 03.10.2024 received from the respondent and the same is taken on record. Learned C.P.O. submitted that for the reasons as are enumerated in the communication, the order in question has not yet been complied with and as further stated in the said letter it would be complied with after the period of code of conduct expires. Rule 14 of the Maharashtra Administrative Tribunal (Contempt of Courts) Rules, 1996 provides that the alleged contemnor shall be

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**C.P. NO. 20/2024 IN
O.A. NO. 792/2023**

called upon to file a statement of his objections, if any, and the same may be in the form of affidavit.

3. In view of the aforesaid provision, the alleged contemnor i.e. respondent no. 02 is directed to file a statement of his objections on affidavit. Learned C.P.O. seeks 01 week time to file such affidavit. Time granted as prayed for.

4. S.O. to 15.10.2024.

MEMBER (A)

VICE CHAIRMAN

ARJ ORAL ORDER 08.10.2024

ORIGINAL APPLICATION NO.1201/2024
(Akshay A. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

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

2. The applicants had applied for the post of Water Conservation Officer in pursuance to the advertisement issued by respondent no.2 on 19-12-2023. The applicant appeared for written examination which was conducted online. Candidates were supposed to answer 100 questions within a period of two hours. Each right answer was assigned 2 marks and for each incorrect answer 0.25 marks were to be deducted from the marks earned by the candidates.

3. Online examination was conducted by respondent no.3. After answer key was published, applicants raised objection to the answer to question no.60 (question ID No.630680947223). According to the applicants option no.2 is the correct answer and not the option no.4 as given in the answer key.

Accordingly, the applicants made a grievance with respondent no.2 by sending E-mail on 24-09-2024. Learned Counsel for the applicant submitted that answer key has been twice revised having considered the objections received in that regard, however, objection as has been raised by the present applicants has not been considered. It is the case of the applicants that this has affected their result and consequently the chances of their selection.

4. In the above circumstances, the applicants have approached this Tribunal claiming various reliefs. However, it does not appear to us that any other relief than to direct respondent no.3 to decide the objection raised by the applicants and communicate the decision to them, can be granted to the applicants.

5. Learned Counsel for the applicants submits that online profile of every candidate is created and the applicants, viz. Yogesh Desai, Atharva Deore & Akshay Deshmukh in their respective profiles have uploaded the objection as about the answer to question ID No.630680947223 on 13-09-2024.

6. Learned P.O. has submitted for passing the appropriate order. As such, we deem it appropriate

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O.A.NO.1201/2024

to dispose of the present O.A. with following directions to respondent no.2 & 3:

ORDER

[i] The applicants shall resubmit their objection-cum-representation to respondent no.2 within two days and if such a representation is made, respondent no.2 shall forthwith forward it to respondent no.3 i.e. TCS to decide the same.

[ii] Respondent no.3 shall decide the said representations within 10 days of their receipt and communicate decision in that regard in writing to the applicants on their E-mail by sending copy of it to respondent no.2.

[iii] O.A. stands disposed of accordingly without any order as to costs.

[iv] Steno copy may be provided to the learned Counsel for applicants on his request.

MEMBER (A)

YUK ORAL ORDER 08.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1142/2024
(Vaibhav A. Dhokare Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Amol B. Chalak, learned counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 14-11-2024.

MEMBER (A)

YUK ORAL ORDER 08.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1145/2024
(Vaibhav V. Ambilwade Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Sanket S. Jangale, learned Counsel holding for Shri Rahul R. Karpe, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned Counsel submits that it is not possible for the applicant to find out addresses of respondent nos.3 and 4. Learned Counsel in the circumstances has prayed for directions to the respondent no.2 to provide such addresses to the applicant. Learned Counsel under the signature of the applicant shall make written application to the respondent no.2 and the learned P.O. shall ensure that the addresses are provided of the said respondents within a week to the applicant.

3. Thereafter, issue notice to respondents, returnable on 28-10-2024.

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

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O.A.NO.1145/2024

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 28-10-2024.

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

MEMBER (A)

YUK ORAL ORDER 08.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1166/2024
(Balasaheb Y. Dhanve Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Shri V.B.Wagh, learned counsel for the applicant and Shri S.S.Dambe, learned Presenting Officer for the respondent authorities, are present.

2. Remove from board.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDER 08.10.2024

ORIGINAL APPLICATION NO.1184/2024
(Pandhari B. Hande Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Ashish Hazari, learned Counsel holding for Shri Amol B. Chalak, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 25.11.2024.

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 25.11.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.930/2022
(Shagir Rustum Pathan Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri A.R.Tapse, learned Counsel holding for Shri P.D.Suryawanshi, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. S.O. to 24-10-2024. Interim relief granted earlier to continue till then.

MEMBER (A)

YUK ORAL ORDER 08.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.931/2022
(Jabiruddin Hamidoddin Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri A.R.Tapse, learned Counsel holding for Shri P.D.Suryawanshi, learned counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. S.O. to 24-10-2024. Interim relief granted earlier to continue till then.

MEMBER (A)

YUK ORAL ORDER 08.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1004/2024
(Vaijinath Arjun Kute Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Ashish Hazari, learned Counsel holding for Shri Amol B. Chalak, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 25-10-2024. Interim relief granted earlier to continue till then.

MEMBER (A)

YUK ORAL ORDER 08.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.412/2020
(Omprakash H. Kothari Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant, Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities and Shri S. B. Patil, learned Counsel for respondent no.4, are present.

2. S.O. to 28-10-2024. Interim relief granted earlier to continue till then.

MEMBER (A)

YUK ORAL ORDER 08.10.2024

VICE CHAIRMAN

M.A.NO. 424 OF 2024 IN O.A.NO. 545 OF 2023
(Vaishali A. Salve Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 496 OF 2020
(Mohd Akif Abrar Mohd. Abdul Rauf Vs. State of
Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

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

2. S.O. to 18.11.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 114 OF 2020
(Dagdu G. Patil Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Ms. Preeti R. Wankhade, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. S.O. to 03.12.2024 for hearing.

MEMBER (J)

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

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.12.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 30 OF 2023
(Pralhad G. Ranveer Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities, are present.

Shri S.B. Mene, learned counsel for the respondent Nos. 2 & 3 has filed a **leave note**.

2. S.O. to 25.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 110 OF 2023
(Balkrushna S. Lanjewar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

Shri R.T. Deshmukh, learned counsel for respondent No.5, is **absent**.

2. S.O. to 09.12.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 580 OF 2023
(Nilkant P. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 10.12.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 903 OF 2023
(Veena A. Kamble Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri M.L. Wankhade, learned counsel for the applicant, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. This Original Application is pending since 2023 challenging the transfer order dated 31.05.2023. It further appears from the affidavit in reply filed on behalf of respondents that till filing of the reply the applicant did not join the transferred place. On perusal of the various representations submitted by the applicant it appears that the applicant is widow having two small children and that she herself so also her one of the child are suffering from health issues.

3. In view of above, the learned P.O. is directed to take specific instructions as to the present status and whether there are any chances of modifying the impugned transfer order in view of the representations submitted by the applicant time to time.

4. S.O. to 12.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 950 OF 2023
(Amarsing C. Kawale Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. **Admit.**
3. The interim relief is made absolute till disposal of the Original Application.
4. S.O. to 09.12.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 984 OF 2023
(Dr. Chandrakant R. Tammewar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri S.D. Joshi, 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 25.10.2024 for hearing as a last chance.

MEMBER (J)

ORIGINAL APPLICATION NO. 200 OF 2024
(Ravindra S. Shelar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri R.K. Temkar, learned counsel for the applicant, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. Even though the circular is sought, none present for the applicant.

3. S.O. to 20.11.2023 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 593 OF 2024
(Rama C. Hawaka Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. In compliance with the directives given in the order dated 26.08.2024, learned P.O. has placed before this Tribunal the copy of communication dated 08.09.2024 received from the respondent No.4. The same is taken on record and marked as document 'X' for identification. On perusal of the same it appears that by order dated 26.08.2024 the suspension of the applicant seems to have been continued.

3. Learned P.O. thus seeks time to file short affidavit and learned counsel for the applicant also seeks time to file Misc. Application seeking amendment in the Original Application for challenging the said order dated 26.08.2024. Time granted.

4. S.O. to 22.10.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 718 OF 2024
(Rahul A. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Suvidh S. Kulkarni, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities, Shri G.J. Karne, learned counsel for respondent Nos. 5 to 7 and Shri K.B. Bhise, learned counsel for respondent No.4.

2. The present matter is reserved for order.

MEMBER (J)

ORIGINAL APPLICATION NO. 376 OF 2019
(Manik T. Takalkar & Ors. Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 122 OF 2018
(Ramdas T. Patil Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 558 OF 2018
(Ganesh D. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants in all these O.As. and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. At the request of learned Presenting Officer, S.O. to 13.11.2024 for taking instructions/for final hearing.

MEMBER (J)

**O.A.NO. 461/2020 WITH M.A.NO. 62/2021
(Shaikh Rahim Ameeroddin Vs. State of Maharashtra &
Ors.)**

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant, Smt. V.P. Choudhari, learned Presenting Officer for the respondent authorities and Shri S.B. Patil, learned counsel for the respondent Nos. 2 to 4, are present.

2. Learned counsel appearing for respondent Nos. 2 to 4 has placed his reliance in a case of **State of Maharashtra & Anr. Vs. Madhukar Antu Patil & Anr.** decided by the Hon'ble Supreme Court in Civil Appeal No. 1985 of 2022 by order dated 21.03.2022.

3. Learned counsel for the applicant submits that recently the Hon'ble Supreme Court in a case of similarly situated employees has granted interim relief in Special Leave to Appeal (c) Nos. 4541-4542/2023.

4. Learned counsel for the applicant thus seeks time to place on record the copy of appeal memo of the said Special Leave to Appeal before the Hon'ble Apex court. Time granted.

5. S.O. to 14.11.2024 for hearing.

MEMBER (J)

O.A.NOS. 696 AND 127 ALL OF 2021
(Supadu K. Surwade Vs. The State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)

DATE : 08.10.2024

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 13.11.2024 for taking instructions/for final hearing.

MEMBER (J)

SAS ORAL ORDER 08.10.2024

ORIGINAL APPLICATION NO. 293 OF 2023
(Syed Saleem Syed Yakub Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard 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.

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application.

3. Leave granted. The Original Application stands disposed of as withdrawn. No order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1206 OF 2024 WITH
CAVEAT NO. 52/2024
(Mahadev Vikram Khedkar Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri S.R. Barlinge, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities. Shri C.B. Chaudhari, learned counsel for respondent No. 2 (Caveator), is **absent**.

2. Learned counsel for the applicant on instructions in writing seeks leave to withdraw the present Original Application. The said communication in writing received from the applicant is placed on record and marked as document "X" for identification.

3. Leave granted. The Original Application is disposed of as withdrawn. No order as to costs. Interim relief stands vacated forthwith.

MEMBER (J)

ORIGINAL APPLICATION NO. 395 OF 2024
(Nagnath S. Salegaonkar Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri P.B. Kadam, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present. None present for respondent No. 2.

2. Learned counsel for the applicant submits that the applicant is not willing to file rejoinder affidavit.

3. List the matter for admission hearing on 14.11.2024.

4. Learned Presenting Officer is directed to call original record.

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 : 08.10.2024

ORAL ORDER :

Shri R.G. Tupe, learned counsel holding for Shri R.O. Awasarmol, 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 09.12.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 586 OF 2024

(Dr. Mahananda M. Jaybhaye-Munde Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant and Smt. Vanita Choudhary, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not willing to file rejoinder affidavit.

3. List the matter for admission hearing on 25.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 1081 OF 2024
(Dhenu V. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri A.K. Shingare, learned counsel holding for Shri K.F. Shingare, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. In compliance with the order dated 24.09.2024 the applicant has filed an application seeking condonation of delay. However, the same is not listed along with the present Original Application.

3. The office is directed to list said M.A. along with the present O.A. on the next date of hearing.

4. S.O. to 22.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 200 OF 2018
(Dinkar G. Shahane Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

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

2. The applicant viz. Dinkar G. Shahane is present in person and seeks leave to file Vakalatnama of another counsel, for which learned counsel Shri S.D. Joshi has no objection. Leave granted.

3. S.O. to 15.10.2024.

MEMBER (J)

**M.A. No. 167/2022 in O.A. St. No. 553/2023
(Agatrao N. Kolekar Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2024

ORAL ORDER :

Shri R.V. Naiknavare/H.P. Jadhav, learned counsel for the applicant (**Absent**). Smt. Vanita Choudhari, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 12.12.2024 as a last chance for hearing.

MEMBER (J)

KPB ORAL ORDER 08.10.2024

M.A. No. 510/2022 in O.A. St. No. 571/2022
(Ashok G. Jondhale & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri S.B. Patil, learned counsel holding for Shri H.V. Patil, learned counsel for the applicants and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 13.12.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 08.10.2024

**M.A. 487/2023 in T.A. 18/2023 (W.P. 8916/2023)
(Ankush V. Sontakke Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2024

ORAL ORDER :

Shri K.R. Doke, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. It appears that there is a huge delay of 16 years.

3. Learned counsel for the applicant seeks time to file synopsis of events to explain the delay. Time granted.

4. S.O. to 11.11.2024 for hearing.

MEMBER (J)

M.A. 113/2024 in T.A. 07/2024 (W.P. 687/2024)
(Yusufkhan Bashirkhan Pathan Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

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

2. As none present for the applicant, S.O. to 16.12.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 08.10.2024

**O.A. No. 83/2024 with M.A. No. 241/2024
(Kunal H. Rajput Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2024

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned counsel for the applicant in O.A., Shri Mahesh Sonawane, learned counsel for the applicant in M.A. 241/2024 and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. The Original Application is hereby allowed in terms of prayer clause. Reasons would follow.

MEMBER (J)

KPB ORAL ORDER 08.10.2024

ORIGINAL APPLICATION NO. 1193 OF 2024
(Madhuri S. Wani Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Vinod Patil, learned counsel for the applicant and Smt. Vanita Choudhari, learned Presenting Officer for the respondent authorities.

2. It appears that the applicant has time to time submitted representations either for release of pensionary benefits in her favour or for compassionate appointment. But finally by order dated 26.08.2024, the respondent authorities have decided the issue pertaining to family pension alone and so far as the issue about compassionate appointment is concerned, no decision has been taken forthwith. In view of the same, there is a continuous cause of action and there is no question of delay as such. The office objection is therefore not sustainable and the same stands overruled.

3. Issue notices to the respondents, returnable on 11.12.2024.

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

//2//

O.A. No. 1193/2024

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 11.12.2024.

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

MEMBER (J)

O.A. 884/2017, O.A. 886/2017, O.A. 887/2017, O.A. 888/2017, O.A. 889/2017, O.A. 890/2017, O.A. 891/2017, O.A. 892/2017, O.A. 893/2017, O.A. 894/2017 and O.A. 895/ 2017
(Prabhakar D. Mali & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Mohit Deshmukh, learned counsel for the applicants in all these O.As., Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As. and Shri Vivek Deshmukh, learned counsel for the respondent No. 5 in O.A. Nos. 884, 888, 892 & 893 all of 2017.

Shri N.K. Tungar, learned counsel for respondent No. 5 in O.A. Nos. 886 & 895 both of 2017, Shri Abhijit More, learned counsel for respondent No. 5 in O.A. No. 887/2017 and Shri B.R. Sontakke Patil, learned counsel for respondent No. 5 in O.A. No. 891/2017, are **absent**.

2. It is a part heard matters. At the request of learned counsel for respondent No. 5 and learned Presenting Officer, S.O. to 15.10.2024 for further hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 706 OF 2024 WITH
CAVEAT NO. 34/2024
(Moni Balajirao Sontakke Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri P.S. Anerao, learned counsel for the applicant, Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities and Shri R.S. Patil, learned counsel for respondent No. 5 (Caveator).

2. Learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application.

3. Leave granted. The Original Application is disposed of as withdrawn. No order as to costs.

MEMBER (J)

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 : 08.10.2024

ORAL ORDER :

Shri P.B. Kadam, learned counsel for the applicant and Smt. Vanita Choudhary, 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. Learned counsel for the applicant submits that though the notices were collected from the office, however, inadvertently those were not served on the respondents.

4. In view of the same, returnable date is extended till 13.11.2024.

MEMBER (J)

**M.A. NO. 212/2015 IN O.A. ST. NO. 441/2015 WITH
M.A. NO. 214/2015 IN O.A. ST. NO. 451/2015 WITH
M.A. NO. 240/2015 IN O.A. ST. NO. 957/2015 WITH
M.A. NO. 241/2015 IN O.A. ST. NO. 955/2015 WITH
M.A. NO. 242/2015 IN O.A. ST. NO. 960/2015 WITH
MA 202/2014 IN MA ST.447/2014 IN OA ST.449/2014 WITH
M.A. NO. 217/2015 IN O.A. ST. NO. 437/2015 WITH
M.A. NO. 215/2015 IN O.A. ST. NO. 443/2015 WITH
M.A. NO. 227/2015 IN O.A. ST. NO. 455/2015 WITH
M.A. NO. 228/2015 IN O.A. ST. NO. 453/2015 WITH
(Suresh M. Tulapurkar & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 08.10.2024

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned counsel for the applicants in all these cases, Smt. Vanita Choudhari, learned Presenting Officer for the respondent authorities in all these cases, S.B. Patil, learned counsel for the respondent Nos. 2 to 4 in M.A. Nos. 240/15, 241/15, 242/15 and R.H. Wagh, learned counsel for respondent No. 2 in M.A. No. 227/2015.

2. In all these Original Applications the applicants were appointed as Junior Engineer. By filing Original Applications, the applicants are seeking directions to the respondents to grant them benefits of second time bound pay scale in the pay band No. 3 from 01.10.2006 onwards and accordingly fix their pay and pension and grant all other consequential benefits. There is a delay in each of the O.As. and therefore, separate M.As. have been filed for condonation of the same.

//2//

3. Learned counsel appearing for the applicants in all these Original Applications submits that cases of the applicants are covered by communication dated 30.08.2024 issued by the Government and in view of the said communication all these Original Applications can be disposed of. The said communication is taken on record and copy thereof is given to other side today itself.

4. Learned counsel appearing for respondent Nos. 2 to 4 along with Presenting Officer seek time to take specific instructions with regard to this communication dated 30.08.2024 more particularly as to whether in terms of the contents of the said communication cases of the applicants are covered or not. Time granted.

5. S.O. to 25.10.2024 for final hearing.

MEMBER (J)

**M.A. No. 498/2024 in O.A. St. No. 434/2024
(Bhagwat M. Chaudhari Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri H.P. Randhir, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. By order dated 26.07.2024, the Original Application came to be dismissed in default with the observations that though learned counsel for the applicant has sought time to file application for condonation of delay, the applicant and his counsel remained absent on later dates.

3. Learned counsel for the applicant submits that he could not take note of hearing date due to daily work load and therefore, the case was not attended, when it was called out.

4. Thus considering the entire aspect of the case, the M.A. seeking restoration of O.A. deserves to be allowed by condoning the delay, if any caused in filing M.A. for restoration of O.A. Hence, the following order :-

//2// M.A. No. 498/2024 in
O.A. St. No. 434/2024

ORDER

- (i) M.A. No. 498/2024 is hereby allowed.
- (ii) The delay of 01 month and 05 days caused in filing M.A. for restoration of O.A. is hereby condoned.
- (iii) The order dated 26.07.2024 passed in O.A. stands recalled and the Original Application St. No. 434/2024 is restored to its original file.
- (iv) The M.A. No. 498/2024 is accordingly disposed of. No order as to costs.

MEMBER (J)

O.A. St. No. 434/2024
(Bhagwat M. Chaudhari Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri H.P. Randhir, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicant, S.O. to 15.10.2024 for filing application for condonation of delay.

MEMBER (J)

KPB ORAL ORDER 08.10.2024

**MA 370/2024 in MA 176/2020 in OA St. 2388/2019
(Ravindra Rajaram Joshi Vs. State of Maharashtra & Ors.)**

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri A.P. Yenegure, learned counsel for the applicant and Smt. Vanita Choudhary, learned Presenting Officer for the respondent authorities.

2. By order dated 01.07.2024, this Tribunal has dismissed M.A. No. 176/2020 in default.

3. Learned counsel for the applicant has pointed out that the applicant is senior citizen and his pension amount is withheld by the respondent authorities. Learned counsel submits that if the M.A. along with O.A. is not restored, the applicant will sustain the irreparable loss. Learned counsel submits that there is also delay of 12 days caused in filing restoration application.

4. Thus considering the entire aspect of the case, I am inclined to restore M.A. No. 176/2020 by condoning the delay caused in filing application for restoration. Hence, the following order :-

//2//

ORDER

- (i) M.A. No. 370/2024 is hereby allowed.
- (ii) The delay of 14 days caused in filing restoration application is hereby condoned.
- (iii) The order dated 01.07.2024 passed in M.A. 176/2020 stands recalled and M.A. No. 176/2020 is restored to its original file.
- (iv) The M.A. No. 370/2024 is accordingly disposed of. No order as to costs.
- (v) M.A. No. 176/2020 in O.A. St. No. 2388/2019 come up on board for hearing on 05.12.2024.

MEMBER (J)

**M.A. 279/24 IN M.A.St. NO. 1930/23 IN
O.A.ST.1931/23
(Rajesh S. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 08.10.2024
ORAL ORDER :**

Heard Shri A.M. Hajare, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Since some delay has occasioned in filing accompanying Original Application the applicant filed the Misc. Application seeking condonation of delay, which is occasioned in filing the said application.

3. Now the applicant has filed M.A. seeking amendment in the M.A. for condonation of delay stating that some facts have remained to be stated inadvertently. In view of the fact that even notices are not yet issued in any of the matter, the amendment application is allowed. The necessary amendment be carried out within 02 weeks.

4. S.O. to 22.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 611 OF 2023
(Syed Imran Ahmed S. Kalimullah Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri C.R. Thorat, learned counsel for the applicant (**absent**). Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 18.11.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

M.A.ST.1958/22 IN M.A.ST.1611/22 IN
O.A.ST.1612/22
(Fakirchand S. Thorat & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri M.A. Kulkarni, learned counsel for the applicant (**absent**). Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 18.11.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

C.P.NO. 88/2024 IN O.A.NO. 798/2024
(Deepak Shivaji Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Amol B. Chalak, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

Shri Blaji B. Yenge, learned counsel present today and submits that he has received instructions from respondent No. 2 i.e. the Secretary, Maharashtra Public Service Commission, to appear on behalf of the said respondent. He submits that he will file **VAKALATNAMA** on behalf of the said respondent in the office of this Tribunal.

2. The office has raised objection in the present contempt petition as about premature filing of the contempt petition. It is stated that after issuance of the notice before completion of the period of one month, the contempt petition has been filed. Learned counsel for the applicant has explained the circumstances in which he was constrained to file the contempt petition before completion of the said period.

3. Learned counsel appearing for respondent No. 2 has sought time to file affidavit in reply to the petition so submitted by the applicant. Three weeks' time is granted.

:: - 2 - ::

**C.P.NO. 88/2024 IN
O.A.NO. 798/2024**

4. The applicants are permitted to file rejoinder affidavit in the Original Application in registry.

5. The Original Application shall come on board on prescheduled date i.e. on 14.10.2024.

6. The contempt petition shall come on board on 29.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

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

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

DATE : 08.10.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants and Shri S.S. Dambe, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel appearing for the applicant has filed additional affidavit in rejoinder and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. List the matter for further consideration on 29.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

C.P.NO. 84/2024 IN O.A.NO. 444/2021
(Shivkumar Anil Pohal Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri M.S. Chaudhari, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent No. 3, returnable on 22.11.2024.

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 22.11.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 858 OF 2024
(Sapna Dnyanoba Harbade Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Sameer Kurundkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 12.11.2024. Interim relief if any granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

C.P.NO. 78/2024 IN O.A.NO. 1111/2023
(Ashok N. Bore & Ors. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 2 & 3, returnable on 29.11.2024.

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 29.11.2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 79/2024 IN O.A.NO. 201/2024
(Vilas Anandsing Rajput Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 08.10.2024

ORAL ORDER :

Heard Shri K.B. Jadhav, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue simple notice to respondent Nos. 2 & 3, returnable on 29.11.2024.

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 29.11.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 537 OF 2024
(Prashant Pitambar sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri Ajay S. Deshpande, learned Special counsel for the respondent authorities, are present.

2. Learned Special counsel has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 19.11.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

ORIGINAL APPLICATION NO. 902 OF 2023
(Purushottam Bhikaji Bansod Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. The request is opposed by the learned counsel for the applicant stating that due opportunities are already availed by the respondents. However, in the interest of justice time is granted by way of last chance.

3. S.O. to 21.11.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

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

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

DATE : 08.10.2024

ORAL ORDER :

Shri Sachin Tambe, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Though the present matter is shown in 'await service category'. Learned counsel for the applicants submits that all the respondents are duly served and he has filed service affidavit in the registry. Learned Presenting Officer shall ensure that the affidavit in reply will be filed on behalf of all the respondents on the next date.

3. S.O. to 22.11.2024.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 03/2024 IN O.A.NO. 950/2019
(Jayshri Thansing Thakur Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer seeks time to file affidavit in reply. The request is opposed by the learned counsel appearing for the applicant. However, in the interest of justice, time granted by way of last chance.

3. S.O. to 20.11.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

ORIGINAL APPLICATION NO. 765 OF 2024
(Sarvesh Ram Pankar Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri B.S. Dambe, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks leave of this Tribunal to place on record the document pertaining to his passing Marathi language examination. Leave granted as prayed for. Document is taken on record and copy thereof has been served on the learned Presenting Officer.

3. S.O. to 15.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

ORIGINAL APPLICATION NO. 782 OF 2023
(Dharamsing Kashiram Dobhal Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri Vilas P. Savant, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. List the matter for hearing on 26.11.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

MEMBER (A)

VICE CHAIRMAN

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

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned counsel for the applicant submitted that the applicant has not been paid the salary from February, 2024. The respondents shall explain why the salary is not paid to the applicant by the next date or in the meanwhile ensure that the salary and the arrears of salary are paid to the applicant.

3. S.O. to 15.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 910 OF 2023
(Madhukar Dattatray Bhandare Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri V.P. Savanta, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Today due to paucity of time this matter could not be heard. List the matter for hearing on 24.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

ORIGINAL APPLICATION NO. 850 OF 2024
(Shubham J. Hake & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Shri Praveen B. Kamble, learned counsel for the applicants and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

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

3. The applicants are permitted to file rejoinder in the registry.

4. S.O. to 14.10.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 11/2024 IN O.A.NO. 372/2019
(Dr. Sanjay V. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

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

3. Learned counsel for the applicant seeks leave of this Tribunal to add name of respondent i.e. officer who is presently holding the charge of the relevant post. Leave granted as prayed for. The necessary amendment be carried out within a week.

4. After adding the name of respondent, issue simple notice to the said respondent, returnable on 22.11.2024.

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

6. 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

**:: - 2 - :: C.P.NO. 11/2024 IN
O.A.NO. 372/2019**

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 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.

9. S.O. to 22.11.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

ORIGINAL APPLICATION NO. 1042 OF 2024
(Vijay Ambadas Cheke Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Dilip Mutalik, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

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

3. Learned counsel for the applicant seeks extension of time for adding intervenors as party respondents as directed by this Tribunal vide its order dated 26.09.2024.

4. Time extended by one week. The applicant shall carry out the necessary amendment within a period of one week.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

ORIGINAL APPLICATION NO. 1089 OF 2024
(Mirza Mohsin Baig & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

Heard Shri Dilip Mutalik, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

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

3. Learned counsel for the applicant seeks extension of time for substituting the synopsis as leave granted by this Tribunal vide its order dated 24.09.2024.

4. Time extended by 10 days for substituting the synopsis.

5. S.O. to 12.11.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 711 OF 2024
(Upendra R. Rajurkar Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 29.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD

ORIGINAL APPLICATION NO. 712 OF 2024
(Shriniwas R. Rajurkar Vs. State of Maharashtra & Ors.)

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

DATE : 08.10.2024

ORAL ORDER :

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

2. Learned Presenting Officer seeks time to file affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 29.10.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 08.10.2024-HDD