

**M.A.NO.130/2020 IN O.A.NO.114/2020
(DagduPatilVs. State of Maharashtra &Ors.)**

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Heard Ku.PreetiWankhade, learned Advocate for the Applicant and ShriM.P.Gude, learned Presenting Officer for the Respondents.

2. Affidavit in reply is already filed in the matter. Today learned Advocate for the applicant has received copy of the same.

3. At the request of learned Advocate for the applicant, S.O. to 23-07-2021 for filing rejoinder, if necessary.

MEMBER (A)

YUK ORAL ORDERS 09.07.2021

**M.A.NO.194/2020 IN O.A.NO.174/2020
(RavindraBibekarVs. State of Maharashtra &Ors.)**

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Heard Smt. SuchitaDhongde, learned Advocate for the Applicant, ShriD.R.Patil, learned Presenting Officer for the Respondents and ShriG.N.Patil learned Advocate for respondent no.4.

2. It has been pointed out to the applicant that original application was made only a few days before the candidate i.e. the applicant became age barred. M.A. for condonation of delay caused for filing O.A. has been filed after the applicant is overage and it is not elaborated that another candidate Mr. Deepak SantoshDandge has been unduly benefitted or not. These points have to be taken into consideration at appropriate stage.

3. At the request of learned Advocate for the applicant, S.O. to 02-08-2021.

MEMBER (A)

M.A.NO.29/2021 IN O.A.NO.284/2016
(Dr. UshaBholaneVs. State of Maharashtra &Ors.)

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Heard ShriAmolGase, learned Advocate for the Applicant and ShriM.P.Gude, learned Presenting Officer for the Respondents. ShriB.S.Deshmukh learned Advocate for respondent no.5 is **absent**.

2. At the request of learned Advocate for the applicant, S.O. to 20-08-2021.

MEMBER (A)

YUK ORAL ORDERS 09.07.2021

ORIGINAL APPLICATION NO.1048/2019
(RamchandraKulkarniVs. State of Maharashtra &Ors.)

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

HeardShriV.G.Pingle learned Advocate holding for ShriK.M.Nagarkar, learned Advocate for the Applicant and ShriB.S.Deokar, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time is granted as a last chance.
3. S.O. to 20-08-2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.179/2021
(UjwalaDeshmukhVs. State of Maharashtra &Ors.)**

CORAM :Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Heard ShriV.G.Pingle, learned Advocate for the Applicant and Smt. M.S.Patni, learned Presenting Officer for the Respondents.

2. Respondent no.1 is yet to file affidavit in reply inspite of having been given last chance on 01-07-2021. Learned P.O. files copy of letter dated 02-07-2021 which is taken on record and marked as document "X" for identification.

3. Learned Advocate for the applicant prays that the respondent authorities may be given 2 weeks' time to decide the matter so that the purpose of O.A. is not defeated for want of decision on the part of respondents.

4. In view of the submissions of the learned Advocate for the applicant, respondent no.1 is hereby directed to decide the representation of the applicant dated 04-02-2021 as early as possible within two weeks from the receipt of this order. O.A. stands disposed of accordingly with no order as to costs.

MEMBER (A)

M.A. No. 178/2021 in O.A. St. No. 717/2021
(Sumit G. Dongre&Ors.Vs.State of Maharashtra & Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021.

ORAL ORDER :

Heard ShriA.V. Thombre, learned Advocate for the applicants and ShriB.S. Deokar, learnedPresenting Officer for the Respondents.

2. This Misc. Application is made by the applicants to sue the respondents jointly. The applicants applied for the post of Statistical Investigator pursuant to the advertisement published by the respondent No. 3 i.e. the Deputy Director of Health Services, Pune on 21.02.2019. The requisite qualification for the said post as stated in the said advertisement (Annexure A-1) is Graduate i.e. B.Sc. with Maths and Statistics or B.Com. with Maths and Statistics or B.A. Economics and Statistics of recognized university.

3. It is the contentions of all the applicants that they have made graduation wherein one of the subjects in the said course during one or two years was Statistics or Maths. The applicants further say that on the documentsprocuredfrom two universities

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M.A. 178/2021 in
O.A. St. 717/2021

mentionthatspecifically degree of B.Com. with statistics or B.Com in statistics is not issued.

4. In view of the same, in our opinion, learned Presenting Officer to seek proper instructions from the concerned department about the scope and meaning of educational qualifications mentioned in the advertisement, which would enable us to appreciate contentions raised by the applicants.

5. S.O. to 03.08.2021.

MEMBER (A)

KPB ORAL ORDERS 09.07.2021

MEMBER (J)

M.A. No. 182/2021 in O.A. St. No. 753/2021
(Dnyaneshwar B. Bulbule&Ors. & Ors.Vs.State of Maharashtra & Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021.

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. The Original Application is filed by the present applicants seeking to quash and set aside the seniority list dated 28.04.2021 (Annexure A-7) prepared on the basis of letter/ communication dated 06.04.2021, which provides for preparing seniority list on the basis of date of appointment and not on the marks obtained. The same has caused great prejudice to those applicants.

3. In view of the same, it appears that the applicants are aggrieved by similar action of the respondents and therefore, this is a fit case to grant permission to the applicants to sue the respondents jointly, subject to payment of court fee stamps.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 753 OF 2021
(Dnyaneshwar B. Bulbule&Ors.Vs.State of Maharashtra &Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Heard Shri K.B. Bhise, learned Advocate for the applicantandShri S.K. Shirselearned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 26.08.2021.

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

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

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

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O.A. St. 753/2021

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 26.08.2021.
8. Steno copy and Hamdast is allowed to both parties.
9. The present matter be placed on separate board.

MEMBER (A)

MEMBER (J)

C.P. No. 21/2019 in O.A. St. No. 1857/2017
(Vasant N. PhadVs. State of Maharashtra &Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021.

ORAL ORDER :

Heard ShriS.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant.Shri S.B. Mene, learned Advocate for respondent Nos. 1 & 2 (**Leave Note**).

2. At the request of learned Advocate for the applicant, S.O. to 09.08.2021 for taking necessary steps in the matter.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 09.07.2021

ORIGINAL APPLICATION NO. 422 OF 2020
(Nilesh R. Tagad & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.07.2021.

ORAL ORDER :

Heard Shri S.D. Munde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Record shows that affidavit in reply is filed only by the respondent No. 3 i.e. M.P.S.C.
3. Both the parties agreed that affidavit in reply of respondent Nos. 1 and 2 is necessary.
4. Learned C.P.O. seeks time for filing affidavit in reply on behalf of respondent Nos. 1 and 2.
5. In view of the same, time is granted for filing affidavit in reply of respondent Nos. 1 and 2.
6. S.O. to 28.07.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.133 OF 2020
(Alka S. MundheVs. State of Maharashtra &Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021.

ORAL ORDER :

Heard ShriS.D. Munde, learned Advocate for the applicant and ShriM.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. Record shows that affidavit in reply is filed only by the respondent No. 4.

3. Learned C.P.O. seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.

4. During course of hearing of this matter, it transpires that the applicant has to address whether he falls in the cadre of aggrieved person as mentioned in Section 19 of the Administrative Tribunals Act, 1985.

5. S.O. to 03.08.2021.

MEMBER (A)

MEMBER (J)

M.A. No. 16/2020 in O.A. St. No. 2416/2019
(Sunil L. Mali Vs. State of Maharashtra &Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021.

ORAL ORDER :

Heard ShriK.B. Jadhav, learned Advocate for the applicants and ShriN.U. Yadav, learnedPresenting Officer for the Respondents.

2. At the request of learned Advocate for the applicant, S.O. to 09.08.2021.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 09.07.2021

M.A. No. 210/2020 in O.A. No. 57/2020
(Vrushali B. TambeVs. State of Maharashtra &Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021.

ORAL ORDER :

Heard ShriR.A. Joshi, learned Advocate holding for Shri M.B. Bharaswadkar, learned Advocate for the applicants and Smt. M.S. Patni, learnedPresenting Officer for the Respondents.

2. At the request of learned Advocate for the applicant, S.O. to 03.08.2021.

MEMBER (A)

MEMBER (J)

KPB ORAL ORDERS 09.07.2021

ORIGINAL APPLICATION NO. 76 OF 2019
(Nilesh S. Badgujar Vs. State of Maharashtra &Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021.

ORAL ORDER :

Heard ShriNilesh S. Badgujar, applicant in person and ShriD.R. Patil, learnedPresenting Officer for the Respondents.

2. The applicant has filed rejoinder affidavit. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 11.08.2021.

MEMBER (A)
KPB ORAL ORDERS 09.07.2021

MEMBER (J)

ORIGINAL APPLICATION NO.248/2019
(ShriVikram B. Mate & Ors.Vs. State of Maharashtra & Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the Applicants, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondent Nos.1 & 2 and Shri S.D. Dhongde, learned Advocate for the Respondent Nos.3 & 4.

2. Learned Advocate for the Applicants has filed affidavit-in-rejoinder. The same is taken on record and copy thereof has been served on the other side.

3. S.O. to 23.08.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.833/2019
(Komal R. RathodVs. State of Maharashtra & Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocateholding for ShriPrashant M. Nagargoje, learned Advocate for the Applicant, Shri S.K. Shirse, learned Presenting Officer for the Respondent Nos.1 & 2 and Shri N.L. Choudhary, learned Advocate for the Respondent No.3.

2. Record shows that affidavit-in-reply is already filed on behalf of the Respondent Nos.1 & 2.

3. Learned Advocate for the Respondent No.3 submits that the Respondent No.3 is adopting the affidavit-in-reply filed on behalf of the Respondent Nos.1 & 2.

4. S.O. to 13.08.2021 for filing affidavit-in-rejoinder by the Applicant, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.425/2019
(ShriSachin U. Shinde&Ors.Vs. State of Maharashtra & Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the Applicants and Shri V.R. Bhumkar, learned Presenting Officer for the Respondent Nos.1 to 4. Shri M.B. Bharaswadkar, learned Advocate for the Respondent Nos.5,6& 11 is absent.

2. At the request of the learned P.O., S.O. to 18.08.2021 for filing affidavit-in-reply on behalf of the Respondent Nos.1 to 4.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.233/2021
(ShriBalasaheb K. JadhavVs. State of Maharashtra & Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

None present on behalf of the Applicant.

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. As none present on behalf of the Applicant, S.O. to 26.08.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.234/2021
(ShriRameshwar E. ChaddidarVs. State of Maharashtra &
Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

None present on behalf of the Applicant.

Heard Shri B.S. Deokar, learned Presenting Officer for
the Respondents.

2. As none present on behalf of the Applicant, S.O. to
26.08.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 09.07.2021-SAS

ORIGINAL APPLICATION NO.722/2019
(ShriGajanan B. Bansode&Ors.Vs.State of Maharashtra & Ors.)

CORAM :Hon'bleShri V.D. Dongre, Member (J)
AND
Hon'bleShriBijay Kumar, Member (A)

DATE : 09.07.2021

ORAL ORDER :

Shri Ajay S. Deshpande, learned Advocate for the Applicant has filed leave note.

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the Applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondent Nos. 1 to 3, Shri K.B. Jadhav, learned Advocate holding for Shri M.B. Kolpe, learned Advocate for the Respondent No.4, Shri A.S. Deshmukh, learned Advocate for the Respondent Nos.5, 6, 71, 87, 150, 198, 211, 229, 369, 489, 511, 528, 625, 628 & 629, Shri G.K. Kshirsagar, learned Advocate for the Respondent Nos.221, 222, 249, 252, 296, 327, 353, 573, 581, 593, 606 & 627 and Shri G.M. Ghongade, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the Respondent Nos.15, 193, 194, 278, 288, 291, 331, 344, 510, 515 & 554.

2. The learned C.P.O. for the Respondent Nos.1 to 3 and respective learned Advocates for the respective Respondents seek time for filing affidavit-in-reply.

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O.A.722/2019

3. Learned C.P.O. for the Respondent Nos.1 to 3 submits that in compliance of earlier order, e-mail notices are sent to remaining 100 un-served Respondents on their correct e-mail addresses and he has to receive response from the concerned department.

4. Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande has filed service affidavit in respect of remaining 93 Respondents out of 100 Respondents. The same is taken on record.

5. S.O. to 16.07.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 09.07.2021-SAS

ORIGINAL APPLICATION NO. 115/2021
(Kadubai S. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 09.07.2021

ORAL ORDER :

Heard Shri R.K. Khandelwal, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned P.O. places on record communication dated 30.6.2021 from the res. no. 4, wherein it is stated that para-wise remarks are forwarded to the State Government for requisite approval. He, therefore, seeks time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 9.8.2021 for filing affidavit in reply by the respondents.

MEMBER (J)

ORIGINAL APPLICATION NO. 575/2020
(Kondabai R. Ghadge & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 09.07.2021

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time for filing affidavit in reply of the respondents. Time granted.
3. S.O. to 10.8.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 51/2018
(David S. Ganthur & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 09.07.2021

ORAL ORDER :

Shri K.M. Nagarkar, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Arguments of both the sides are heard at length.
Case is closed for orders.

MEMBER (J)

ORIGINAL APPLICATION NO. 304/2018
(Sudhakar D. Mangalkar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 09.07.2021

ORAL ORDER :

Shri K.M. Nagarkar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Arguments of both the sides are heard at length.
Case is closed for orders.

MEMBER (J)

ORIGINAL APPLICATION NO. 520/2020
(Mutazabaddin Abdul Waheb Shaikh Vs. State of Maharashtra
& Ors.)

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

DATE : 09.07.2021

ORAL ORDER :

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

2. Learned P.O. seeks time for filing affidavit in reply of the respondent nos. 3 & 4. Time granted.

3. S.O. to 10.8.2021 for filing affidavit in reply by the respondent nos. 3 & 4.

MEMBER (J)

**ORIGINAL APPLICATION NO. 79/2021
(Anil S. Puranik Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 09.07.2021**

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate has filed rejoinder affidavit of the applicant. It is taken on record and copy thereof has been supplied to other side.

3. Learned P.O. seeks time for filing affidavit in reply of the respondent nos. 2 & 4. Time granted.

4. S.O. to 11.8.2021 for filing affidavit in reply by the respondent nos. 2 & 4.

MEMBER (J)

**ORIGINAL APPLICATION NO. 152/2021
(Vishnu S. Misal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 09.07.2021**

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned P.O. files two separate affidavits in replies of res. nos. 1 to 3 & 4 respectively. The same are taken on record and copies thereof are supplied to other side.
3. Learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.
4. S.O. to 12.8.2021. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 190/2021
(Pratibha M. Bankar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 09.07.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant undertakes to file service affidavit in the registry by the next date. The said undertaking is accepted and taken on record.
3. S.O. to 13.8.2021.

MEMBER (J)