

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

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

Before: - THE HON'BLE JUSTICE SHRI V. K. JADHAV, MEMBER (J)

Date: -09/02/2024

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA01/20	Nanded	Adv Mujahed Hussain (Seema S Dalavi & Ors.)	Compassionate Appointment Substitution	For Filing Affidavit in Rejoinder <u>Ref Order</u> <u>Dtd.</u> <u>07.02.2023</u>	23.2.2024
2	OA298/20	O'bad	Adv K G Salunke (Ramraje G Pawar)	Transfer	For Reporting Compliance <u>Ref Order</u> <u>Dtd.0</u> <u>09.11.2022</u>	11.3.2024
3	OA489/20	Jalgaon	Adv H P Randhir (Subhash O Ghodke)	Continuation/ Benefit of Old Pension Scheme	For Filing Affidavit in Reply	11.3.2024
4	OA796/21	Dhule	Adv Amol S Gandhi (Dinesh A Chavan)	Compassionate Appointment Substitution Direction to include in waiting list	Reply Filed By R-2 & By Way of Last Chance For Filing Affidavit in Reply	4.3.2024
5	TA19/22 WP12463/21	A'nagar	Adv D R Jaybhar (Ramdas K Kolekar)	Provisional Pension/ pension & Pensionery Benefits	Await Service	11.3.2024
6	OA617/22	Jalgaon	Adv Tapan K Sant (Amol N Manore)	Compassionate Appointment Family members in Government Service	Await Service	4.3.2024
7	OA913/22	A'nagar	Adv V B Wagh (Varsha V Gaikwad) <u>Adv D T Devane For R-3 & R-4</u>	Absorption	As a last chance for Filing Affidavit in Reply R-1 & R-2	12.3.2024

8	OA976/22	Nanded	Adv Amol S Gandhi (Shripad K Marakwar)	Compassionate Appointment Substitution	For Filing Affidavit in Reply	23.2.2024
9	OA261/23	A'bad	Adv V G Salgare (Vidya S Ghorpade)	Recovery/ pension & Other Benefits	For Filing Affidavit in Rejoinder	12.3.2024
11	OA432/23	P'rbn	Adv S D Joshi (Dr. Subhash P Pawar) <u>Adv Ganesh V Mohekar For R-4</u>	Transfer	For Filing Affidavit in Reply	1.3.2024
12	OA465/23	P'rbn	Adv Suchita Dhongde Adv.Suchita Dhongde has Filed leave note From 01/02/2024 to 10/02/2024 (Kuldip P Ambhore)	Transfer	For Filing affidavit in Reply	12.3.2024
13	OA617/23	A'bad	Adv R N Bharaswadkar (Shubhangi R Bhoge)	Transfer	For Filing Affidavit in Reply R-1,R-2 & R-5.	26.2.2024
14	OA888/23	Nanded	Adv M R Jamnik/ Adv G J Pahilwan (Baliram S Gaikwad)	Time Bound Promotion ACPS	Await Service R-5	3.4.2024
15	OA1083/23	Beed	Adv A.B.Rajkar (Dilip R Shinde)	Transfer	For Filing Affidavit in Reply	Disposed of
Order Matters						
16	MA254/22 In OASt626/22	A'bad	Adv.R N Bharaswadkar (Dr.Megha D Deshmukh)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	26.3.2024
17	MA510/22 In OASt571/22	Nanded	Adv H V Patil (Ashok G Jondhale & Ors.)	M.A For Condonation of Delay	Reply Filed By R-1 to R-3	12.3.2024
18	MA571/22 In OASt3060/22	Nanded	Adv M D Godhamgaonkar (Birendrasingh A Bungai)	M.A For Condonation of Delay	Reply Filed By R-2 & R-3 & For Filing Affidavit in Reply	11.3.2024
19	MA133/23 In OASt264/23	A'bad	Adv A S Bayas (Yashoda A Rathod & Ors.)	M.A For Condonation of Delay	Reply Filed by R-1 to R-4	23.2.2024
20	MA304/23 In OASt864/23	Jalgaon	Adv V B Wagh (Vanil B Koli)	M.A For Condonation of Delay	For Filing Affidavit in Reply	12.3.2024
21	MA427/23 In OASt1065/23	A'bad	Adv Kakasaheb B Jadhav (Madhyamsing P Maher) <u>Adv Pradeep Lohiva/ Adv Akshay Kulkarni For R-5 & R-6</u>	M.A For Condonation of Delay	For Filing Affidavit in Reply	23.2.2024

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

*List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench
Before: - THE HON'BLE JUSTICE SHRI. P.R. BORA, VICE CHAIRMAN*

And

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

Date:- 09/02/2024

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	TA03/24 WP1216/24 with Caveat No. 03/24	Dhule	Adv N L Chaudhari (Nagej M Kandare) <u>CPO For Caveator</u> The State of Maharashtra Through Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai-32. & Anr.	Selection Process		21.02.2024
2	MASt664/22 In OASSt665/22	A'bad & Ors.	Adv.S.S. Jadhavar (Reshma K Kamble & Ors.)	M.A. For Sue Jointly	With Office Objection	01.03.2024
3	MASt1958/22 In MASt1611/22 In OASSt1612/22	A'bad	Adv.M.A. Kulkarni (Fakirchand S Thorat & Ors.)	M.A. For Condonation of Delay	With Office Objection	01.03.2024
4	OA1021/22	Jalna	Adv.C V Dharurkar (Madhav K Khairage)	Departmental Enquiry	Urgent Admission As per Order dtd.10.02.2023 Reply Filed by R-1 to R-3	20.02.2024
5	OASSt1910/22	Jalna	Adv.C V Dharurkar/ Adv.Vinaya Muley (Shamrao A Gite)	Departmental Enquiry	With Office Objection	20.02.2024
6	OA24/23	Jalgaon	Adv.C V Dharurkar (Ashok O Mahajan)	Departmental Enquiry		20.02.2024

7	OA119/24	Beed	Adv O D Mane/ Adv A O Mane (Sanjay J Khade)	Promotion		04.04.2024
8	OA952/22	Beed	Adv.A.P. Shejul (Mangesh B Zore) <u>Adv.C.D.</u> <u>Fernandes/Adv.Pramod S</u> <u>Brahmane For R.No.5</u>	Appointment	Reply Filed by R-3 & R-5	
9	OA960/22	Beed	Adv.A.P. Shejul (Siddheshwar P Darade) <u>Adv.C.D.</u> <u>Fernandes/Adv.Pramod S</u> <u>Brahmane For R.Nos. 4 & 5</u>	Appointment	Reply Filed by R-2 to R-5	
Order Matters						
10	MA41/22 In OA458/18	A'bad	Adv.R N Bharaswadkar (Anita B Kolgane)	M.A. For Orders & Producing Documents on Record	For Hearing Reply Filed by R-2 & R-3	27.03.2024
11	MA145/23 In OA268/22	A'bad	Adv.Kalyan V Patil (Chandrashekhar K Mundhe & Ors.)	M.A. For Amendment	For Hearing Reply Filed by R-1 to R-3	20.02.2024
12	MA188/23 In MA343/21 In OA692/17	P'bhani	Adv.V G Pingle (Bhanudas R Watane)	M.A. For Amendment		01.03.2024
13	MA336/23 In OA185/21	Beed	Adv.V B Wagh (Subhash J Khote)	M.A. For Direction		20.03.2024
Due Admission Matters						
14	CP36/18 In OA846/11 With	N'bar	Adv.Jayant B Choudhary /Adv.P.D. Bodade (Vilas S Patil)	Contempt Petition	For Hearing Reply Filed by R-3	27.03.2024

15	CP37/18 In OA843/11 With	Jalgaon	Adv.Jayant B Choudhary (Ganesh G Patil)	Contempt Petition	For Hearing Reply Filed by R-3	27.03.2024
16	CP38/18 In OA842/11 With	Jalgaon	Adv.Jayant B Choudhary (Uttam K Patil)	Contempt Petition	For Hearing Reply Filed by R-3	27.03.2024
17	CP39/18 In OA278/12 With	Dhule	Adv.Jayant B Choudhary (Prakash D Bhadane)	Contempt Petition	For Hearing	27.03.2024
18	CP40/18 In OA634/11 With	A'bad	Adv.Jayant B Choudhary (Prakash D Bharambe)	Contempt Petition	For Hearing Reply Filed by R-2 & R-3	27.03.2024
19	CP41/18 In OA277/12	Nanded	Adv.Jayant B Choudhary (Sanjeev R Kadam)	Contempt Petition	For Hearing Reply Filed by R-3	27.03.2024
20	CP19/20 In OA704/17 With	A'bad	Adv.Jayant B Choudhary (Asman D Garje & Ors.)	Contempt Petition	For Hearing Short Affidavit in Reply Filed by R-3	12.03.2024
21	CP27/20 In OA749/17	A'bad	Adv.Jayant B Choudhary (Mohammad Abdul Hai Mohammd Abdul Gani & Ors)	Contempt Petition	For Hearing Short Affidavit in Reply Filed by R-2	12.03.2024
22	CP29/20 In OA1014/19	Beed	Adv.C V Dharurkar (Bade R Shridhar)	Contempt Petition	For Hearing Additional Reply Filed by Respondents Reply Filed by R-1	15.02.2024
23	CP34/22 In OA78/21	A'nagar	Adv Kakasaheb B Jadhav (Shubhangi Y Pawale) <u>Adv Anuradha S Mantri</u> <u>For R-2</u>	Contempt Petition	Reply Filed By R- 1 & R-2	27.02.2024

24	CP02/24 In OA530/23	P'rbn	Adv K B Jadhav (Manjusha M Mutha)	Contempt Petition	For Compliance Report Reply filed By R-1 Ref Order dtd. 05.02.2024	14.02.2024
25	Rev4/17 In OA223/14	A'bad	Adv.S.D. Joshi (Kakasaheb B Zalte)	Review Petition	For Hearing	01.03.2024
26	OA115/19	A'bad	Adv.Satish P Dhobale (Santosh B Jadhav & Ors.)	Seniority	For Hearing	14.03.2024
27	OA116/20	Nanded	Adv.P.B. Rakhunde (Shaikh Akhtar Hussain Mohd. Hanif)	Dismissal From Service	For Hearing Reply Filed by R-1 & R-2	26.03.2024
28	OA156/20	A'bad	Adv.Abhishek C Deshpande (Raju A Ghodke & Ors.)	Recovery/ Refixation of Pay	For Hearing Reply Filed by R-1 to R-3	26.03.2024
29	OA228/20	A'nagar	Adv.A.R. Avachat (Santosh D Dhongade)	Departmental Enquiry	For Admission Reply Filed by R-1 to R-3	26.03.2024
30	OA231/21	Beed	Adv.S B Solanke (Sushilkumar B Jadhav & Ors.)	Challenging Recruitment Process	For Hearing	27.02.2024
31	OA279/21	Latur	Adv.S.B. Solanke (Pratap A Garje)	Deemed Date of Appointment	For Hearing Reply Filed by R-2 & R-3	31.03.2024
32	OA339/21	A'bad	Adv.Amol B Chalak (Arun S Jadhav)	Show Cause Notice/ Termination	For Hearing Reply Filed by R-5 to R-7	
33	OA345/21	A'bad	Adv.S.B. Solanke (Suvarna R Jadhav)	Appointment	For Hearing Reply Filed by R-1 to R-3	27.02.2024
34	OA694/21	P'bhani	Adv.Amol B Chalak/ Adv.Anand Deshpande (Avinash G Chonde)	Termination	For Hearing Reply Filed by R-2 to R-4	
35	OA713/21	A'bad	Adv.S.S. Dambe (Yogesh C Gupta & Ors)	Selection/ Appointment	For Admission	27.03.2024

36	OA827/21	J'gaon	Adv.Harshal P Randhir (Sanjaykumar U More)	Promotion	For Admission Reply Filed by R-1 to R-3	27.03.2024
37	OAS1376/22	P'bhani	Adv.O Y Kashid (Abhilash V Gore)	Departmental Enquiry	With Office Objection For Admission Reply Filed by R-3	15.03.2024
38	OA371/22	A'nagar	Adv.S D Joshi (Babasaheb B Bhosle)	Major Punishment	For Hearing Reply Filed by R-1 to R-3	26.02.2024
39	OA490/22	Latur	Adv.R.P. Bhumkar (Satish L Gaikwad)	Examination	For Admission Reply Filed by R-3	
40	OA665/22	J'gaon	Adv.Santosh B Bhosle (Kalpana P Jadhav)	Dismissal	For Admission Reply Filed by R-1 to R-3	13.02.2024
41	OA786/22	A'nagar	Adv.Ajay S Deshpande (Bapusaheb B Warale)	Promotion	For Hearing Reply Filed by R-1 & R-2	13.03.2024
42	OA820/22	Hingoli	Adv.Omprakash Y Kashid/ Adv.V.T. Patil (Navnath U Jadhav)	Major Punishment	For Admission Reply Filed by R-4	15.03.2024
43	OA1015/22	Jalna	Adv.O.Y. Kashid (Vilas D Jagtap)	Preliminary Enquiry/ Departmental Enquiry	For Admission Reply Filed by R-1 to R-6	15.03.2024
44	OA1072/22	O'bad	Adv. S D Joshi (Vishal G Waghmare)	Seniority List	For Hearing Reply Filed by R-2	14.02.2024
45	OA282/23	A'bad	Adv.P.M. Nagargoje (Vijay D Puri)	Compulsory Retirement	<u>For Further Consideration</u>	28.03.2024
46	OA300/23 with	A'bad	Adv.Avinash S Deshmukh (Ratnaraj R Jawalgekar) <u>Adv.Ajay Deshpande For Special Council For Respondents</u>	Promotion	For Hearing Reply Filed by R-1 to R-3	26.02.2024

47	OA215/23	A'bad	Adv.Avinash S Deshmukh (Ratnaraj R Jawalgekar) <u>Adv.A B Khrosekhar for R.No.4</u>	Promotion	For Hearing Reply Filed by R-1 to R-3	26.02.2024
Final Hearing Matters						
48	OA363/10	Hingoli	Adv.J B Choudhary (Dileep W Chaoure) <u>Adv D T Devane For R-3 & R-4</u>	Reversion	<u>Pending Before Hon'ble High Court</u> Reply Filed by R-1 to R-4	Removed from board
49	OA111/13	Nanded	Adv.V S Panpatte/ Adv.S S Haikude (Gajanan M Shikare) <u>Adv.S K Sawangikar for R.No.4 Adv.G J Kore for R.No.3</u>	Appointment	Reply Filed by R-2 & R-3	23.02.2024
50	OA461/15	Nanded	Adv.S S Thombre (Vijay L Tarode)	Appointment	Reply Filed by R-1 & R-2	23.02.2024
51	OA74/17	Dhule J'gaon	Adv.Dnyaneshwar J Patil (Vijaysing K Wagh & Ors.)	Departmental Enquiry		04.03.2024
52	OA321/17	A'bad	Adv.P.A. Kulkarni (Manisha P Jagtap)	Selection	Reply Filed by R-2	04.03.2024
53	OA899/17	O'bad	Adv.G.C. Khond/ Adv.G.N. Khanzode (Dr.Vandana S Shinde) <u>Adv.Gunratn Sadavarte/ Adv.Javshri Patil/ Adv.Ramdas Gaikwad for R.No.4</u>	Seniority	Reply Filed by R-1 to R-3	04.03.2024
54	OA74/18	A'nagar	Adv.S.S. Kulkarni/ Adv.A.S. Kulkarni (Bhagwan B Chemate)	Appointment	Reply Filed by R-1	18.03.2024

55	OA119/18	A'bad	Adv.Santosh N Patne (Jyoti L Rathod)	Appointment	Reply Filed by R-1 to R-4	04.03.2024
56	OA285/18	A'bad	Adv.Avinash S Deshmukh (Meera J Dolas)	Selection/ Appointment	Reply Filed by R-1 & R-2	04.03.2024
57	OA731/18	J'gaon	Adv.P.B. Patil (Ramesh J Patil)	Promotion	Reply Filed by R-1 & R-2	04.03.2024
58	OA11/19 With	Beed	Adv.S.B. Solanke (Bapurao A Dongar & Ors.)	Appointment	Reply Filed by R-1 to R-3	27.02.2024
59	OA30/19 With	Beed	Adv.S.B. Solanke (Vaishali V Mhaske)	Appointment	Reply Filed by R-1 to R-3	27.2.2024
60	OA81/19	Nanded	Adv.S.B. Solanke (Manohar M Musale & Ors.)	Appointment	Reply Filed by R-1 to R-3	27.2.2024
61	OA355/19	Nanded	Adv.D.R. Irale Patil (Nangesh N Unche & Ors.) <u>Adv.Ajay Deshpande for R.Nos.3 to 5</u>	Seniority	Reply Filed by R-1 to R-5	21.3.2024
62	OA659/19	A'bad	Adv.Ram S Shinde (Boralkar) (Vijay M Suralkar)	Challenging G.R.	Reply Filed by R-1 to R-5	4.3.2024

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

And

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

Date:-09/02/2024

Suplimentary Board

Sr · No	Case No.	Distric t	Advocate's & Applicant's Name	Subject	Remarks	
Urgent Admission Matter						
1	MASt266/24 In OA805/23 Caveat 43 to 70/24	Ch.S. Nagar	Adv S B Talekar & Associates (Shaikh Rafeek Gabru & Ors.) Adv A V Patil For Caveator	M.A For Interim Relief	Circulation	1.3..2024

	Rev. 01/24 IN O.A.509/20	Beed	Adv. C.V. Dhararkar (Dr. Nomani Muhammed Mufti Tahair)	Rev. Application	For filing affidavit in reply	23.02.2024
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Date: -09/02/2024

D.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP47/19 In OA364/16	Beed	Adv.R.P. Bhumkar (Rudrappa L Lungare & ors.) <u>Adv S B Mene For R-3 & R-4</u> <u>Adv S B Mene has Filed leave note on 09.02.2024</u>	Contempt Petition	Await Service R-5 Reply Filed By R-2 to R-5	16.2.2024
2	CP24/22 In OA902/19	P'rbn	Adv Kakasaheb B Jadhav (Shivaji M Thorat)	Contempt Petition	Await Service R-3 Reply Filed By R-4	14.3.2024
3	CP52/23 In OA445/20	Nanded	Adv Vaibhav B Dhage (Narshing N Mudiraj)	Contempt Petition	Await Service R-2 Reply Filed By R-3	14.3.2024
4	CP56/23 In OA67/20	Jalna	Adv A B Rajkar (Bansi G Bangar)	Contempt Petition	For Filing Affidavit in Reply	1.3.2024
5	CP68/23 In OA30/21	Jalna	Adv V B Wagh (Kedarnath R Budhwant)	Contempt Petition	For Filing Affidavit in Reply	28.2.2024
6	OA553/20	Beed	Adv.Avinash S Deshmukh (Bhujang M Khedkar)	Promotion	Reply Filed By R-1 to R-3 As a Last Chance For Filing Affidavit in Rejoinder	11.3.2024
7	OA578/20	Latur	Adv R.N.Bharashwadkar (Sachin S.Lokare)	Termination	Await Service	19.3.2024
8	OA554/21	A'bad	Adv R B Ade (Harshal N Yevle)	Termination	Reply Filed By R-1 to R-4 As a last	19.3.2024

					chance For Filing Affidavit in Rejoinder	
9	OA111/22 With	A'bad	Adv.S.K. Mathpati (Pandurang V Hande)	Challenging Clause of G.R.	By way of Last Chance For Filing Affidavit in Reply R-2	18.3.2024
10	OA151/22 With	A'bad	Adv.S.K. Mathpati (Chhaban V Kulkarni)	Challenging Clause of G.R.	By way of Last Chance For Filing Affidavit in Reply R-2	18.3.2024
12	OA152/22	A'bad	Adv.S.K. Mathpati (Duryodhan S Wankhade)	Challenging Clause of G.R.	By way of Last Chance For Filing Affidavit in Reply R-2	19.3.2024
13	OA243/22	J'gaon	Adv.D.T. Devane (Ghansham D Chavan & Ors.) <u>Adv.M.B. Kolpe for R.No.2</u>	Departmental Examination/ Declaration of Result	As a Last Chance For Filing Affidavit in Rejoinder	20.3.2024
14	OA726/22	Nashik Dhule	Adv.D.T. Devane (Dinesh N Patil) <u>Adv.M.B. Kolpe for R.No.2</u>	Selection	As a Last Chance For Filing Affidavit in Rejoinder	20.3.2024
15	OA768/22	Hingoli	Adv.O.Y.Kashid / Adv.VT.Patil (Satish D.Narwade)	Removal From Service	Reply Filed By R-4	15.3.2024
16	OA802/22	A'nagar	Adv.S.V. Natu/ Adv.R.A. Joshi (Dnyaneshwar S Andhale)	Challenging Recruitment Rules	For Filing Affidavit in Reply For R-1,3&4	20.3.2024
17	OA10/23	Jalgaon	Adv A B Girase (Rahul S Chavhan)	Directions/ Appointment	By way Last Chance For Filing Affidavit in Reply R-5	28.2.2024
18	OA72/23	Jalna	Adv A S Deshmukh	Benefits of Old	One More last	11.3.2024

		Etc.	(Vinod W Rakh & Ors.)	Pension Scheme	Chance For Filing Affidavit in Reply R-1	
19	OA134/23	Nanded	Adv.A.D. Sonkawade/ Adv.B.S. Gadekar (Prakash S Gadekar)	Promotion/ Benefits of T.B.P./ ACPS	For Filing Affidavit in Reply	20.3.2024
20	OA180/23	Latur	Adv.S.B. Patil (Santosh W Suryawanshi & Ors.)	Promotiion (Kotwal)	For Filing Affidavit in Reply	29.2.2024
21	OA877/23	Beed	Adv Mahendra Gandle (Rahul A Khemde)	Selection Process	Await Service	2.4.2024

**M.A.NO. 318 OF 2023 IN O.A.ST.NO. 243 OF 2023
(Annasaheb D. Pagare Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri M.M. Kadtu, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant seeks time to place on record the corrected synopsis of events. Time granted.

3. S.O. to 16.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 09.02.2024 sas

ORIGINAL APPLICATION NO. 147 OF 2021
(Ratnaprabha T. Hingade Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri P.B. Rakhunde, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. This is old matter of the year 2021.

3. In view of same, list the matter for hearing on 17.04.2024 as a last chance.

MEMBER (J)

ORAL ORDER 09.02.2024 sas

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

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

DATE : 09.02.2024

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Shri U.A. Khekale, learned counsel for respondent Nos. 3 & 4, are **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned counsel for the applicant and learned counsel for respondent Nos. 3 & 4, S.O. to 02.04.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 560 OF 2021
(Motiram D. Dakhore Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits that this Original Application is filed against the order of minor punishment directing the recovery of certain amount from the applicant. Being aggrieved by the same, the applicant has preferred the appeal to respondent No.1, however, the same was not decided for 6 months and as such, the applicant was constrained to file this Original Application.

3. Learned counsel for the applicant on instructions submits that during pendency of this Original Application, the departmental appellate authority has decided the said appeal. In view of same, it is necessary to carry out amendment in the Original Application to the extent of decision taken by the appellate authority.

//2// O.A. 560/2021

4. Learned counsel for the applicant seeks time and leave to amend the Original Application. Time and leave granted. The applicant to carry out amendment on or before the next date.

5. S.O. to 11.03.2024 for hearing.

MEMBER (J)

ORAL ORDER 09.02.2024 sas

ORIGINAL APPLICATION NO. 612 OF 2022
(Vishwanath M. Tondewad Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Shri S.B. Solanke, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. By way of filing this Original Application the applicant is seeking directions to respondent authorities not to apply the Defined Contribution Scheme (NPS) to the applicant as he is recruited before 01.11.2005 and therefore, it is required to be hold and declare that the New Pension Scheme is not applicable to the applicant and he is entitled to get the benefit of Old Pension Scheme.

3. Learned Presenting Officer in response to the query made by this Tribunal placed on record the copy of G.R. dated 02.02.2024 issued by the State of Maharashtra (Finance Department). This G.R. is about exercising the options by the State Government employees either to obtain for Old Pension Scheme or New Pension Scheme, if their

//2//

O.A. 612/2022

advertisement of their recruitments was published prior to 01.11.2005 and they have been recruited on 01.11.2005 or thereafter.

4. In view of issuances of above G.R. it appears that nothing survives for further consideration in this Original Application. Learned counsel for the applicant has also not disputed the same. The Original Application accordingly disposed of. No costs.

MEMBER (J)

ORAL ORDER 09.02.2024 sas

ORIGINAL APPLICATION NO. 1012 OF 2023
(Mahendra S. Sangle Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri R.A. Shinde, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. It appears that the applicant is belongs to NT (D) category and the post of Police Patil for village Shelave Kh., Tal. Parola, Dist. Jalgaon is reserved for NT (B) category as per the advertisement.

3. Learned Presenting Officer has placed before me the proposal dated 25.10.2023 submitted by the Sub Divisional Officer, Erandol Division, Erandol for filling up the post of Police Patil for village Shelave Kh. Tal. Parola, Dist. Jalgaon from the VJ (A) category. It appears from the G.R. dated 16.10.2008 that if the candidate as per the advertisement is not available from the Woman category, the same will be made available to Male category. However as per the advertisement, the post of Police Patil of Village Shelave Kh. Tal. Parola, Dist. Jalgaon was reserved for NT (B) category and now the proposal has been submitted to reserve the said post for VJ (A) category.

//2// O.A. 1012/2013

4. Learned Presenting Officer is directed to take specific instructions from the respondent authorities as to whether the persons belong to reserved category as per Sr. No. 1 to 3 of Clause- ƒ of G.R. dated 16.10.2008 are exchangeable; for example, if as per Sr. No.2 of clause - ƒ, if no person is available from VJ(A) category or NT(B) category, whether the said post of Police Patil can be filled up as per Sr. No.3 of Clause- ƒ because it is stated in the clause - ƒ that exchange inter-se in the reserved category is permissible.

5. S.O. to 16.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 09.02.2024 sas

**ORIGINAL APPLICATION NO. 929 OF 2019
(Shaikh Mohd Rafi Shaikh Mohammad Shafi Vs. State of
Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

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

2. Though the learned counsel for the applicant is present and ready to work out the matter, learned P.O. seeks short adjournment. Granted.

3. S.O. to 16.02.2023 for final hearing in urgent category.

MEMBER (J)

ORIGINAL APPLICATION NO. 07 OF 2021
(Arun W. Thakur Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 12.02.2024 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 186 OF 2021
(Namdeo A. Fad Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

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

2. Learned counsel for the applicant on instructions submits that the respondent authorities have cancelled the process of recovery as proposed against the applicant because of interim order granted by this Tribunal and at present the respondent authorities have carried out re-fixation of pay and the grievance of the applicant appears to have been resolved.

3. Learned counsel for the applicant seeks time to place on record the relevant documents. Time granted.

4. S.O. to 16.02.2024 for final hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

**ORIGINAL APPLICATION NO. 353 OF 2021
(Sunil J. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri S.S. Tandale, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant on instructions submits that the suspension order of the applicant has been revoked and the applicant came to be reinstated on 16.03.2022.

3. Learned counsel for the applicant has further clarified it that during pendency of this Original Application the said suspension order has been revoked.

4. Learned P.O. seeks time to take specific instructions in this regard. Time granted.

5. S.O. to 23.02.2024.

MEMBER (J)

**ORIGINAL APPLICATION NO. 105 OF 2022
(Amar J. Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri S.S. Tandale, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant on instructions submits that the suspension order of the applicant has been revoked and the applicant came to be reinstated on 17.06.2022.

3. Learned counsel for the applicant has further clarified it that during pendency of this Original Application the said suspension order has been revoked.

4. Learned P.O. seeks time to take specific instructions in this regard. Time granted.

5. S.O. to 23.02.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 688 OF 2018
(Premnath G. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.02.2024.

MEMBER (J)

ORAL ORDER 09.02.2024 sas

ORIGINAL APPLICATION NO. 689 OF 2018
(Prakash S. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 12.02.2024.

MEMBER (J)

ORAL ORDER 09.02.2024 sas

**ORIGINAL APPLICATION NO. 649 OF 2021
(Janak B. Puri Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. In terms of sur-rejoinder filed on behalf of the respondents, learned P.O. is directed to take specific instructions whether the amount recovered from the applicant after his retirement towards excess amount paid to him is likely to be refunded to the applicant in view of re-fixation order dated 19.08.2022.

3. S.O. to 20.03.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1083 OF 2023
(Dilip Ramrao Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Shri A.B. Rajkar, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits the affidavit in reply on behalf of respondent No.1. The same is taken on record and copy thereof is given to other side.

3. By this Original Application the applicant is challenging the order dated 31.05.2023 issued by the respondent No.1 thereby transferring the applicant from Aurangabad to Beed. The applicant is also seeking direction to respondent No.1 to decide the representation dated 09.06.2023 submitted by him.

4. Learned counsel for the applicant submits that the son of the applicant namely Abhishek is handicapped and he is studying in Navjeevan Dumb and Deaf Children School at Nargaon Naka

//2// O.A. 1083/2023

Aurangabad. The copy of disability certificate is marked as Annexure 'A-3'.

5. Learned counsel for the applicant submits that the representation submitted by the applicant dated 09.06.2023 is still pending and the respondent authorities have accepted the same in paragraph No. 9 of the affidavit in reply. Learned counsel for the applicant submits that the purpose of filing this Original Application will be served, if the suitable directions are given to the respondent authorities to decide the said representation and pass the appropriate order to consider the applicant for transfer in the annual general transfer of the year 2024-2025.

6. Learned Presenting Officer submits that the applicant has made the representation on 09.06.2023 to the office of respondent No.1 and the office of respondent No.1 has directed the applicant to submit the medical certificate.

7. In view of above, it appears that the said representation dated 09.06.2023 submitted by the applicant is not considered. This Original Application can be disposed of by directing the

//3// O.A. 1083/2023

respondent authorities to consider the case of the applicant sympathetically since the son of the applicant is suffering from intellectual disability and diagnosis in his case is moderate intellectual disability, which is 72% at present in terms of the medical certificate (Annexure 'A-3').

8. In view of same, I proceed to pass the following order:-

ORDER

- (A) The Original Application is partly allowed.
- (B) The respondents are directed to consider the case of the applicant sympathetically and to decide the representation and consider his request for transfer at Aurangabad in the annual general transfer of the year 2024-2025.
- (C) In the circumstances there shall be no order as to costs.
- (D) The Present Original Application stands disposed of.

MEMBER (J)

ORIGINAL APPLICATION NO. 432 OF 2023
(Dr. Subhash P. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

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

Shri G.V. Mohekar, learned counsel for respondent No.4, is **absent**.

2. Learned P.O. submits that the draft reply has been sent to the Government for approval and the same is not yet received. Learned P.O. thus seeks time. Time granted.

3. S.O. to 01.03.2024. Status quo granted earlier to continue till then.

MEMBER (J)

**M.A.NO. 133 OF 2023 IN O.A.ST.NO. 264 OF 2023
(Yashoda A. Rathod & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri A.U. Chandel, learned counsel holding for Shri A.S. Bayas, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits affidavit in rejoinder on behalf of applicants to M.A. The same is taken on record and copy thereof is given to other side.

3. Learned counsel for the applicants submits that connected two other matters bearing M.A.No. 135/2023 in O.A.St.266/2023 and M.A.No. 137/2023 in O.A.St. 306/2023 are not listed along with this matter. Though the office has sent the files to board department, however the matters have not been shown on board.

4. The office to list the above stated two matters along with present matter on board on the next date.

//2// M.A. 133/23 in
O.A.St. 264/23

5. Learned counsel also submits the affidavit in rejoinder to above stated two matters. The same is taken on record and copy thereof is given to other side.

6. In view of above, list the matters for hearing on 23.02.2024.

MEMBER (J)

ORAL ORDER 09.02.2024 sas

ORIGINAL APPLICATION NO. 921 OF 2019
(Dr. Aasma Kalim Siddiqui Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel holding for Shri R.P. Adgaonkar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 26.03.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

ORIGINAL APPLICATION NO. 137 OF 2020
(Lalit G. Pandule Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.04.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

ORIGINAL APPLICATION NO. 231 OF 2023
(Vishwanath A. Diwate Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel holding for Shri A.D. Sugdare, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.04.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

ORIGINAL APPLICATION NO. 278 OF 2023
(Dattatraya V. Gawande Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri K.B. Jadhav, learned counsel holding for Shri A.D. Sugdare, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.04.2024 for final hearing.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

ORIGINAL APPLICATION NO. 621 OF 2022
(Dattatray A. Kakade Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Ms. P.C. Kale, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter.

3. At the request of learned Presenting Officer, S.O. to 26.02.2024 for further hearing.

MEMBER (J)

M.A. No. 529/2023 in O.A. No. 1112/2022
(Mohammad Raza Khan Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Smt. Supriya Bhilegaonkar, learned counsel holding for Shri M.B. Bharaswadkar, learned counsel for respondent No. 3, are present.

2. By consent, S.O. to 16.02.2024 for hearing in **urgent admission category.**

MEMBER (J)

M.A. No. 427/2023 in O.A. St. No. 1065/2023
(Madhyamsing P. Maher Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Ms. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present. Shri Pradeep Lohiya / Akshay Kulkarni, learned counsel for respondent Nos. 5 & 6, is **absent**.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents in M.A.

3. S.O. to 23.02.2024.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

ORIGINAL APPLICATION NO. 617 OF 2023
(Shubhangi R. Bhoge Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 and 2. Same is taken on record and copy thereof is given to other side. Learned P.O. submits that respondent No. 5 is adopting the affidavit in reply filing on behalf of respondent Nos. 1 and 2.

3. List the matter for admission hearing on 26.02.2024 and filing rejoinder affidavit, if any. Interim relief granted earlier to continue till then.

MEMBER (J)

M.A. No. 254/2022 in O.A. St. No. 626/2022
(Dr. Megha D. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 1 to 3 in M.A. Same is taken on record and copy thereof is given to other side.

3. List the matter for hearing on 26.03.2024.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

ORIGINAL APPLICATION NO. 888 OF 2023

(Baliram S. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri G.J. Pahilwan, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent Nos. 4 & 10. Same is taken on record and copy thereof is given to other side.

3. At the request of learned counsel for the applicant, issue fresh notice to respondent No. 5, returnable on 03.04.2024.

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 03.04.2024.

9. Steno copy and Hamdast is allowed to both parties

MEMBER (J)

ORIGINAL APPLICATION NO. 796 OF 2021
(Dinesh A. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Amol Gandhi, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Even though last chance is granted, no affidavit in reply has been filed by the respondents.

3. List the matter for admission hearing on 04.03.2024 with liberty to the other side to file the affidavit in reply till the next date of hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 976 OF 2022
(Shripad K. Marakwar Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Amol Gandhi, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, time is granted as a last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 23.02.2024.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

ORIGINAL APPLICATION NO. 123 OF 2024
(Dr. Chitralekha S. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 18.03.2024.

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 18.03.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 124 OF 2024
(Mohammed Farook Shujaiddin Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 16.02.2024.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

M.A. No. 289/2022 in O.A. St. No. 1064/2022
(Vijay G. Palaskar Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri P.V. Ambade, learned counsel for the applicant (**Absent**). Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 02.04.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

ORIGINAL APPLICATION NO. 166 OF 2023
(Sunil R. Kharat Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Joslyn Menezes, learned counsel holding for Smt. Amruta Paranjape-Menezes, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 27.02.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 597 OF 2023
(Ashish N. Hiware Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter.
3. At the request of learned Presenting Officer, S.O. to 22.02.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 329 OF 2023
(Amit K. Pathode & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter.
3. At the request of learned Presenting Officer, S.O. to 13.02.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 819 OF 2019
(Kalim Safdar Shiklidar Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Smt. Sabahat T. Kazi, learned counsel for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, is present.

2. It is a part heard matter. As none present for the applicant, S.O. to 18.03.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 169 OF 2023
(Nitin Ashokrao Shete Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Shri N.K. Tungar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

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 on written instruction dated 07.02.2024 received from the applicant submits that the grievance raised by the applicant has been redressed during pendency of the present Original Application and thus on instructions, the learned counsel seeks leave to withdraw the present Original Application.

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

MEMBER (J)

M.A. No. 49/2024 in O.A. St. No. 1148/2021
(Manoranjan M. Gatkal Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Shri Amol Gandhi, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that there is a delay of 8 years, 3 months and 16 days caused in filing the accompanying Original Application. The Original Application pertains to recovery of rent of Government quarter occupied by the applicant.

3. It appears that though by order dated 05.04.2017 in O.A. No. 418/2016 this Tribunal has directed the respondent authorities to decide the representation of the applicant dated 02.09.2015 expeditiously and preferably within 03 months from the date of the order, as per the submissions made on behalf of the applicant, the said representation has not been decided. The applicant has constrained to file the Original Application St. No. 1148/2021 seeking quashment of the recovery order, which is the subject matter of the said representation. In view of the same, the office objection raised in the O.A. in this regard that this issue is already dealt with, is not correct. Hence, the office objection stands overruled.

//2// M.A. 49/2024 in O.A. St. 1148/2021

4. In view of above, issue notices to the respondents in M.A., returnable on 01.04.2024.

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 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 01.04.2024.

10. Steno copy and Hamdast is allowed to both parties

MEMBER (J)

ORIGINAL APPLICATION NO. 103 OF 2022
(Tushar V. Veldandi Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

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

2. It appears that though the applicant has submitted an application for compassionate appointment within one year from the date of declaration of civil death of Government employee and even though the name of the applicant has been duly entered in the waiting list and though the respondent No. 1 to 4 in their affidavit in reply in para No. 10(D) have accepted the same and further stated in the said para that “the name of the applicant has been included in the waiting list on the basis of which the appointment on compassionate basis is made by the competent authority”, however, it is surprising that till this date no appointment order has been given to the applicant. On the other hand, the applicant is constrained to approach this Tribunal by filing the present Original Application.

//2//

O.A. No. 103/2022

3. In the peculiar circumstances of the case and since the specific admission made in para No. 10(D) of the affidavit in reply filed on behalf of respondent Nos. 1 to 4, it is directed that the respondent No. 3 i.e. the Divisional Deputy Agricultural Officer, Sangamner, Dist. Ahmednagar shall remain present personally before this Tribunal on the next date of hearing.

4. It is a part heard matter.

5. S.O. to 29.02.2024 for further hearing.

MEMBER (J)

KPB ORAL ORDER 09.02.2024

C.P. NO. 19/2020 IN O.A.NO. 704/2017
(Asman D. Garje & Ors. Vs. the State of Maharashtra & Ors.)

C.P. NO. 27/2020 IN O.A.NO. 749/2017
(Mohammad Abdul Hai Mohammad Abdul Gani & Ors. Vs. the State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these contempt petitions.

2. Learned counsel for the applicants has brought to our notice that the Writ Petition preferred by the respondents against the order passed by this Tribunal was dismissed by the Hon'ble Bombay High Court and thereafter though the respondents have filed the Special Leave Petition before the Hon'ble Supreme Court, the same has also been dismissed. The copy of the order passed by the Hon'ble Supreme Court is tendered across the bar and the same is taken on record. It appears that the SLP has been dismissed recently. In the circumstances,

:: - 2- :: C.P.19/20 & C.P. 27/20

we give time to the respondents till 12.03.2024 for compliance of the orders and submit on record the report of compliance.

3. S.O. to 12.03.2024.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 09.02.2024-HDD

**ORIGINAL APPLICATION NO. 282 OF 2023
(Vijay D. Puri Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri P.M. Nagargoje, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 4 and the same is taken on record.

3. S.O. to 28.03.2024.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 694 OF 2021
(Avinash G. Chonde Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri Ashish Hazari, learned counsel holding for Shri Amol Chalak, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.02.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 09.02.2024-HDD

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

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

DATE : 09.02.2024

ORAL ORDER :

Shri Ashish Hazari, learned counsel holding for Shri Amol Chalak, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 27.02.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 188/2023 IN O.A.NO. 692/2017
(Bhanudas R. Watane Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 01.03.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 09.02.2024-HDD

ORIGINAL APPLICATION NO.877/2023
(Rahul A. Khemde Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Mahendra Gandle, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. On request of learned Counsel appearing for applicant, re-issue fresh notice to respondents, returnable on 02-04-2024.

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 02-04-2024.

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

MEMBER (A)

VICE CHAIRMAN

C.P.NO.02/2024 IN O.A.NO.530/2023
(Manjusha M. Mutha Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned CPO on instructions makes a statement that the proposal to give posting to applicant at Aurangabad has been approved by the Hon'ble Chief Minister, however, for issuance of formal orders some time is required. He submitted that, by 13-02-2024 formal order may be served upon the applicant.

3. Hence, keep the matter on 14-02-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.659/2019
(Vijay M. Suralkar Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Ram S. Shinde, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., S.O. to 04-03-2024 for final hearing, positively.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

C.P.NO.47/2019 IN O.A.NO.364/2016
(Rudrappa Lungare Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Ganesh R. Bhumkar, learned Counsel holding for Shri R.P.Bhumkar, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

Shri S.B.Mene, learned Counsel for respondent nos.3 and 4 has filed **leave note** on record.

2. Learned PO seeks one week's time for filing affidavit in reply in the matter. Time is granted.
3. S.O. to 16-02-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.553/2020
(Bhujang Khedkar Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

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

2. Learned Counsel for the applicant seeks time to file affidavit in rejoinder. Time is granted.
3. S.O. to 11-03-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.72/2023
(Vinod Rakh & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

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

2. Though ample opportunities are granted, reply is not filed on record. Hence, list the matter for hearing on 11-03-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

M.A.NO.145/2023 IN O.A.NO.268/2022
(Chandrashekhar Mundhe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Umesh Ruparel, learned Counsel holding for Shri Kalyan Patil, learned Counsel for the applicants and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Counsel for the applicant submits written notes of arguments. Same are taken on record. Copy is given to the learned P.O.

3. On request of learned P.O. S.O. to 20-02-2024 for filing counter to the written notes of arguments submitted by the applicant.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

C.P.NO.56/2023 IN O.A.NO.67/2020
(Bansi G. Bangar Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri Ashish B. Rajkar, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned PO submits that the process is going on and the proposal is submitted to office of the Accountant General. He has, therefore, sought some accommodation. Granted.

3. S.O. to 01-03-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1021/2022
(Madhav K. Khaarge Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri C.V.Dharurkar, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Counsel for the applicant as well as learned P.O., S.O. to 20-02-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.363/2010
(Dilip W. Chaoure Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri J.B.Choudhary, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

Shri D.T.Devane, learned Counsel for the applicant is **absent**.

2. Remove from board.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.1910/2022
(Shamrao A. Gite Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

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

2. Office objection stands removed.
3. At the request of learned Counsel for the applicant as well as learned P.O., S.O. to 20-02-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.24/2023
(Ashok O. Mahajan Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri C.V.Dharurkar, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned PO has tendered affidavit in reply on behalf of respondent nos.2 and 3. It is taken on record. Copy thereof is served on the other side. Learned P.O. submits that the reply filed on behalf of respondent nos.2 and 3 shall be deemed to be the reply on behalf of respondent no.1 also. Pleadings are completed.

3. List the matter for hearing on 20-02-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.376/2022
(Abhilash V. Gore Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri O.Y.Kashid, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 15-03-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.820/2022
(Navnath U. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri O.Y.Kashid, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 15-03-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1015/2022
(Vilas D. Jagtap Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri O.Y.Kashid, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Presenting Officer, S.O. to 15-03-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.768/2022
(Satish D. Narwade Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri O.Y.Kashid, learned Counsel for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel does not wish to file rejoinder affidavit.
3. Hence, S.O. to 15-03-2024 for hearing.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

T.A.NO.03/2024 IN W.P.NO.1216/2024
with Caveat No.03/2024
(Nagej M. Kandare Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Shri N.L.Chaudhari, learned Counsel for the applicant and Shri M.S.Mahajan, learned Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicant submits that in the advertisement published by respondent no.2 on 30-12-2023 inviting applications for the post of Safaigar, out of 24 posts advertised none of the said posts is reserved for backward class and 100% posts are declared to be for Open candidates. Learned Counsel submits that this is against the policy of the Government declared from time to time.

3. Learned Counsel has invited our attention to G.R. dated 27-06-1958, Government Circulars dated 01-10-2003 and 19-04-2018. Even otherwise, it appears unconscionable that all the posts are kept open. It is brought to our notice that the recruitment process is at the initial stage and the

=2= T.A.NO.03/2024 IN W.P.NO.1216/2024

last date for filing application is 24-01-2024 and subsequent process is yet to be undertaken. Learned Counsel submits that the applicant promptly approached the Hon'ble High Court by filing Writ Petition, however, on the point of jurisdiction, the said Writ Petition has been transferred to this Tribunal for its disposal in accordance with law.

4. After having considered the submissions made on behalf of the applicant, we are convinced that, *prima facie* case is made out by the applicant for grant of interim relief, however, there is caveat filed on behalf of the respondents in the present matter.

5. Learned P.O. submits that within a week, the affidavit in reply will be submitted. In the circumstances, we keep the matter for considering the request for interim relief on 20-02-2024.

6. In the meanwhile, issue notices to respondents, returnable on 20-02-2024.

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

=3= T.A.NO.03/2024 IN W.P.NO.1216/2024

8. 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.

9. 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.

10. 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.

11. S.O. to 20-02-2024.

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

MEMBER (A)

YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.119/2024
(Sanjay Khade Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri O.D.Mane, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Issue fresh notice to respondents, returnable on 04-04-2024.

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 04-04-2024.

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

MEMBER (A)

VICE CHAIRMAN

M.A.ST.NO.266/2024 IN O.A.NO.805/2023
(Shaikh Rafik Gabru & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Heard Ms. Vishakha Patil, learned Counsel holding for Shri S.B.Talekar, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Present application has been filed seeking interim injunction restraining the respondents from making appointment on the post of Craft Instructors held by the applicants in pursuance of the advertisement no.01/2022. Learned Counsel for the applicants submits that the original application has been filed seeking regularization of the services of the applicants who are serving as the Craft Instructors for couple of years.

3. Learned Counsel pointed out that similar prayers were made in the applications filed before the Principal Bench of the Tribunal at Mumbai as well as the Tribunal at Nagpur and interim orders

=2= M.A.ST.NO.266/2024 IN O.A.NO.805/2023

are passed in the said matters. Learned Counsel submits that respondents have started issuing appointments to the freshers and applicants apprehend that if such appointments are made, they are likely to be removed from services.

4. Learned P.O. Shri Bhumkar seeks time to file reply on behalf of the State authorities stating that today only he has received copy of the M.A.

5. While issuing notice in the present matter the Tribunal has passed the following order on 30-08-2023:

“(ii) Services of the applicants in the present O.A. are protected in the quota of 5457 posts which are going to be filled up by outsourcing.”

6. Learned Counsel submits that inspite of the aforesaid order instances are noticed wherein the appointments are made on the posts held by some of the applicants. In the circumstances, further interim order has been sought thereby restraining the respondents from making appointments on the post of Craft Instructors held by the applicants.

=3= M.A.ST.NO.266/2024 IN O.A.NO.805/2023

7. After having considered the submissions made on behalf of the applicants and having regard to the orders passed by the Principal Bench of the Tribunal as well as Nagpur Bench of the Tribunal in the identical matters, we deem it appropriate to pass the following order:

ORDER

Time is granted to the respondents to file affidavit in reply. **Till then respondents are restrained from making appointments on the posts held by the present applicants.**

7. S.O. 01-03-2024.

MEMBER (A)

YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.490/2022
(Satish Limbaji Gaikwad Vs. State of Maharashtra &
Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Shri R.P.Bhumkar, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. When the present matter is taken up for consideration, it is brought to our notice that the applicant was permitted to appear for the examination and the result of the said examination has also been declared. O.A. was restricted to the aforesaid prayers only since the purpose of filing the O.A. has been satisfied, the O.A. deserves to be disposed of. Hence the following order:

ORDER

O.A. stands disposed of. It is clarified that if the applicant is otherwise fulfilling the criteria, he may be considered by the respondents for appointment on the advertised post within a period of 2 weeks from the date of this order. No costs.

MEMBER (A)

VICE CHAIRMAN

O.A.NO.111/2022, 151/2022 & 152/2022
(Pandurang V. Hande Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri S.K.Mathpati, learned Counsel for the applicants is **absent**. Smt. M.S.Patni, learned Presenting Officer for the respondent authorities is present.

2. Learned PO has tendered affidavit in reply on behalf of respondent no.3 in O.A.No.152/2022. It is taken on record. Copy thereof be supplied to the other side.

3. S.O. to 18-03-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

M.A.ST.NO.664/2022 IN O.A.ST.NO.665/2022
(Reshma K. Kamble & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.02.2024

ORAL ORDER :

Shri S.S.Jadhavar, learned Counsel for the applicants is **absent**. Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities is present.

2. S.O. to 01-03-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN

**M.A.ST.NO.1958/2022 IN M.A.ST.1622/2022 IN
O.A.ST.NO.1612/2022
(Fakirchand Thorat & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 09.02.2024

ORAL ORDER :

Adv. M.A.Kulkarni, learned Counsel for the applicants **absent**. Shri M.P.Gude, learned Presenting Officer for the respondent authorities is present.

2. S.O. to 01-03-2024.

MEMBER (A)
YUK ORAL ORDER 09.02.2024

VICE CHAIRMAN