

C.P.NO.73/2024 IN O.A.NO.716/2024
(Kailas G. Datkhil Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Today when the matter is taken up for consideration, learned P.O. submitted separate affidavits in reply on behalf of respondent no.1 as well as respondent no.2. Those are taken on record. Copies thereof are served on the other side. We have gone through the contents of the said affidavits in reply. It *prima facie* appears that, both the replies are filed without reading the order passed by this Tribunal, contempt of which is alleged in the present petition.

3. The applicant approached this Tribunal by filing the O.A.No.716/2024 praying for directions against the respondents to open the sealed cover and consider him for his promotion. Report in respect of the applicant was kept in sealed cover for the reason that a criminal case was pending against him and

the departmental enquiry was also pending against him. When the O.A. was heard, it was brought to our notice that the Special Court has acquitted the applicant of the charges levelled against him. It was also brought on record that, the departmental enquiry has also been closed.

4. At the relevant time Government had taken a stand that criminal appeal filed by the Government against the acquittal of the applicant is pending before the Hon'ble High Court. Considering the said fact and recording that mere pendency of criminal appeal may not come in the way of the applicant for considering him for promotion if he is otherwise eligible subject to outcome of the said criminal appeal, following order was passed in the said O.A.:

“[i] Respondents are directed to issue the order of completion of probation period of the applicant if there is no other impediment in that regard within 2 weeks from the date of this order.

[ii] Respondents are further directed to break open the sealed cover within 4 weeks from the date of this order and if the applicant is recommended therein for his promotion, consider his case for promotion on merit in order of seniority and as per rules.

[iii] O.A. stands disposed of in the aforesaid terms, however, without any order as to costs.

[iv] M.A. also stands dispose of accordingly.”

5. Since the order was not complied with the applicant issued legal notice to the authorities praying for compliance of the order. Despite that, when the order was not complied with by the respondents the applicant preferred the present contempt petition. When the contempt petition was heard, learned Counsel appearing for the applicant brought to our notice that, the Hon'ble High Court has refused to grant leave to appeal against the acquittal of the present applicant and also placed on record copy of the said order passed on 12-04-2024. After having considered the material which was filed on record along with contempt petition, we reached to a *prima facie* conclusion that without any cogent reason the order of the Tribunal has not been complied with. In the circumstances, notice in the prescribed form i.e. Form No.III was directed to be issued and the respondents were called upon to appear in person or through counsel and to submit their response to the contentions raised in the contempt petition. Accordingly, today respondents have submitted their affidavits in reply.

6. From the contents of the affidavit, it is revealed that the same stand has been reiterated by the respondents for not considering the applicant for promotion. A case is therefore made out to proceed against the respondents under the provisions of the Contempt of Courts Act, 1971.

7. As provided in the Maharashtra Administrative Tribunal (Contempt of Courts) Rules, 1996 the charge is required to be framed as provided under Form IV appended to the said Rules. In the circumstances, we direct both the respondents to remain present before this Tribunal on 12-11-2024 for framing charge against them.

8. S.O. to 12-11-2024.

MEMBER (A)

YUK ORAL ORDER 09.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.508/2022
(Mangesh D. Auti Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

Shri Paresh Patil, learned Counsel holding for
Shri Vishal S. Kadam, learned counsel for the
applicant and Shri M.B.Bharaswadkar, learned Chief
Presenting Officer for the respondent authorities, are
present.

2. On request of learned Counsel for the
applicant, S.O. to 19-11-2024.

MEMBER (A)

YUK ORAL ORDER 09.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.862/2024
(Dattatray C. Pawar Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

Shri Paresh B. Patil, learned counsel for the applicant and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities.

2. At the request of learned Presenting Officer, S.O. to 20-11-2024 for filing affidavit in reply on behalf of the respondents.

MEMBER (A)

YUK ORAL ORDER 09.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.334/2024
(Shubhangi M. Burfule Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

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

2. Despite having availed sufficient opportunities, respondents have failed to file affidavit in reply. List the matter for hearing without reply of the respondents.

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

MEMBER (A)

YUK ORAL ORDER 09.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.864/2024
(Datta Janikram Kadam Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

Shri Ketan Pote, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned C.P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted by way of last chance.

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

MEMBER (A)
YUK ORAL ORDER 09.10.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.962/2024
(Vajinath Baburao Mundhe Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

Shri Amol R. Gaikwad, learned counsel for the applicant is **absent**. Shri V.G.Pingle, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 and 2. It is taken on record. He undertakes to serve copy of the reply on the other side.

3. S.O. to 25-11-2024.

MEMBER (A)

YUK ORAL ORDER 09.10.2024

VICE CHAIRMAN

M.A.NO.472/2024 IN O.A.NO.951/2024
(The Association of Subordinate Services of Engineers,
Maharashtra State – Through its General Secretary
Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Heard Shri U.L.Momale, learned counsel for the applicant Association and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. The O.A. has been filed by the Association. Present application is filed seeking permission to file such O.A. by the Association. The documents filed on record demonstrate that the applicant is a registered Association and is recognized by the State Government. Since the applicant is prosecuting the grievance of its members in respect of rule pertaining to their promotion, we are inclined to allow the Association to file the O.A. Present M.A., therefore, stands allowed and disposed of without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.951/2024
(The Association of Subordinate Services of Engineers,
Maharashtra State – Through its General Secretary
Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Heard Shri U.L.Momale, learned counsel for the applicant Association and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicant Association submits that he will remove the office objections. Office objections be removed within a week.

3. After removal of office objections, issue notice to respondents, returnable on 20-11-2024.

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.

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O.A.NO.951/2024

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 20-11-2024.

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

MEMBER (A)

YUK ORAL ORDER 09.10.2024

VICE CHAIRMAN

M.A.NO.503/2024 IN O.A.NO.1049/2024
(Shirish Dattatraya Bansode & Anr. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

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

2. This is an application preferred by the applicants seeking leave to sue jointly.
3. For the reasons stated in the application and since the cause and the prayers are identical, the applicants have prayed for same relief and to avoid multiplicity of litigation, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.
4. Present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

YUK ORAL ORDER 09.10.2024

ORIGINAL APPLICATION NO.1049/2024

(Shirish Dattatraya Bansode & Anr. Vs. State of Maharashtra & Ors.)

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

AND

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 15-11-2024. **Learned Counsel for applicants prays for leave to serve the respondents through E-mail. Leave granted.**

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

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

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

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

7. S.O. to 15-11-2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 41 OF 2021
(Bharat B. Sangle Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri P.S. Jadhav, learned counsel holding for Shri S.N. Pagare, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 09.12.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

ORIGINAL APPLICATION NO. 708 OF 2022
(Sayyed Abeda Begum Wd/o Sayyaed Ajaz Ahmed Quadri
Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri Moinpasha Shaikh Farid, learned counsel holding for Shri A.L. Kanade, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 28.11.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

**M.A. No. 39/2024 in O.A. St. No. 221/2024
(Ravindra V. Pathak Vs. State of Maharashtra & Ors.)**

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

DATE : 09.10.2024

ORAL ORDER :

Shri V.C. Suradkar, learned counsel holding for Shri A.B. Rajkar, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.12.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

**ORIGINAL APPLICATION NO. 900 OF 2018
(Bhika M. Pathare Vs. State of Maharashtra & Ors.)**

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

DATE : 09.10.2024

ORAL ORDER :

Shri V.C. Suradkar, learned counsel holding for Shri A.B. Rajkar, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 10.12.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 428 OF 2023
(Sanjiv P. Bodkhe Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri Sanjiv P. Bodkhe, party in person, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. It is a part heard matter. At the request of learned counsel for respondent Nos. 2 & 3, S.O. to 16.10.2024 for instructions.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

**M.A. No. 258/2024 in O.A. St. No. 1214/2024
(Baburao Mariba Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 09.10.2024

ORAL ORDER :

Shri Swaraj Tandale, learned counsel for the applicant and Smt. Vanita Choudhari, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 22.10.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

**M.A. No. 99/2024 in O.A. St. No. 486/2024
(Raju T. Kamble Vs. State of Maharashtra & Ors.)**

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

DATE : 09.10.2024

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Leave to correct the prayer clause of M.A. to the extent of period of delay.

3. Learned counsel for the applicant seeks leave to amend M.A. by inserting certain paragraphs to explain the delay.

4. Leave granted. The applicant shall carry out necessary amendment in M.A. within a period of 14 days.

5. S.O. to 29.10.2024 for hearing.

MEMBER (J)

M.A. No. 430/2024 in O.A. No. 777/2024
(Bhagwan S. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Two weeks' time is extended to carry out amendment in M.A. in terms of order dated 24.09.2024.

3. S.O. to 23.10.2024.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

ORIGINAL APPLICATION NO. 1060 OF 2024
(Shanta Raju Wakode Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Heard Shri G.J. Pahilwan, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 11.11.2024.

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

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

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

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

7. S.O. to 11.11.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 1198 OF 2024
(Bhagirath R. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 03.12.2024.

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

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

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

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

7. S.O. to 03.12.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 1199 OF 2024
(Bhagwat V. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Heard Shri O.D. Mane, learned counsel for the applicant and Smt. Vanita Choudhari, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 03.12.2024.

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

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

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

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

7. S.O. to 03.12.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 591 OF 2023
(Sanjay P. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits that recommendations made by the Civil Services Board are now placed before the competent authority i.e. the Hon'ble Chief Minister for approval and the same is still awaited. Learned P.O. seeks one week's time to place before this Tribunal communication in this regard. Time granted.

3. S.O. to 16.10.2024 **in urgent admission category.**

MEMBER (J)

ORIGINAL APPLICATION NO. 781 OF 2018
(Suryakant M. Garude & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri P.D. Bodade, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. It is a part heard matter. By consent, S.O. to 03.12.2024 for further hearing, since Review Petition before the Hon'ble Supreme Court is still pending.

MEMBER (J)

ORIGINAL APPLICATION NO. 404 OF 2022
(Manesh D. Nagargoje Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Heard Shri K.G. Salunke, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer has placed before this Tribunal a copy of communication dated 08.10.2024 received from respondent No. 3 i.e. the Dean, Swami Ramananad Terth, Rural Medical College Hospital, Ambajogai and seeks time for filing reply. Time granted.

3. Learned counsel for the applicant seeks leave to add the Principal Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai and the Commissioner, Medical Education, Research and Ayush, Mumbai as party respondents to the present Original Application.

4. Leave granted. The applicant shall carry out necessary amendment in the O.A. forthwith.

5. Issue notice to the newly added respondents, returnable on 12.11.2024.

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O.A. No. 404/2022

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

7. 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.

8. 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.

9. 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.

10. S.O. to 12.11.2024.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 21 OF 2024
(Rameshwar B. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Heard Shri H.P. Jadhav, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant has placed before this Tribunal certain documents. Same are taken on record. On perusal of the same, it appears that on 24.07.2024, the Superintendent of Police, Jalna i.e. respondent No. 4 has communicated the order passed by respondent No. 2 dated 28.06.2024 to the applicant. On perusal of the said order, it appears that the absence period due to the then existing order of removal of service was regularized for the purpose of retiral benefits and there is no hurdle as such to release pension, gratuity and other pensionary benefits, for which the applicant is entitled.

3. Learned Presenting Officer is directed to keep responsible officer from the office of respondent No. 4 present in person on the next date of hearing.

4. It is a part heard matter. S.O. to 24.10.2024.

MEMBER (J)

**MA 214/2022 in MA 148/2021 in OA St. 481/2021
(Anita P. Gitey Vs. State of Maharashtra & Ors.)**

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

DATE : 09.10.2024

ORAL ORDER :

Shri S.B. Shirsath, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 10.12.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

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 : 09.10.2024

ORAL ORDER :

Shri R.N. Bharaswadkar, learned counsel for the applicant (**Absent**). Smt. Vanita Choudhari, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 11.12.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

M.A. No. 17/2024 in O.A. St. No. 2449/2023
(Pandurang G. More & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri P.S. Jadhav, learned counsel holding for Shri S.N. Pagare, learned counsel for the applicants and Smt. Vanita Choudhari, learned Presenting Officer for the respondent authorities, are present.

2. Leave to carry out amendment in the M.A.
3. S.O. to 23.10.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

ORIGINAL APPLICATION NO. 885 OF 2017
(Shailesh S. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri Mohit Deshmukh, learned counsel for the applicant (**Absent**). Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 05.12.2024 for final hearing.

MEMBER (J)

T.A. No. 20/2024 (W.P. No. 3192/2023)
(Mathurabai M. Choure Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits rejoinder affidavit. Same is taken on record and copy thereof is given to learned Presenting Officer today itself.

3. List the matter for admission hearing on 13.11.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 693 OF 2024
(Thakur K. Shah Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri A.S. Kadam, learned counsel for the applicant and Shri A.P. Basarkar, 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 23.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 694 OF 2024
(Amit A. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

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

3. S.O. to 23.10.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 820 OF 2024
(Ajay V. Kasture Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

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

3. List the matter for admission hearing on 24.10.2024 with liberty to the other side to file affidavit in reply, if any till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 819 OF 2024
(Kakasaheb S. Doiphode Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. S.O. to 24.10.2024 for hearing.

MEMBER (J)

KPB ORAL ORDER 09.10.2024

ORIGINAL APPLICATION NO. 857 OF 2024
(Arun B. Thakur Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits separate affidavits in reply on behalf of respondent Nos. 1 and 2 & 3 respectively. Same are taken on record and copies thereof are given to learned counsel for the applicant.

3. S.O. to 16.10.2024 for filing rejoinder affidavit. Status quo granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 62 OF 2024
(Baburao C. Mahire Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri Y.H. Jadhav, learned counsel for the applicant and Smt. Vanita Choudhari, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel Shri B.V. Virdhe, submits that he has instructions to appear on behalf of respondent Nos. 2 to 5 and thus seeks time to file Vakalatnama and affidavit in reply. Time granted.

3. Learned Presenting Officer also seeks time to file affidavit in reply on behalf of respondent No. 1. Time granted.

4. S.O. to 18.11.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 824 OF 2024
(Vinod M. Salgarkar Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record along with spare copy for the applicant. Learned P.O. submits that other respondents are adopting the affidavit in reply filed on behalf of respondent No. 2.

3. S.O. to 28.10.2024 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 825 OF 2024
(Prashant B. Potdar Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 2. Same is taken on record along with spare copy for the applicant. Learned P.O. submits that other respondents are adopting the affidavit in reply filed on behalf of respondent No. 2.

3. S.O. to 28.10.2024 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 832 OF 2024
(Sarika S. Patil @ Sarika B. Ahire Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Learned Presenting Officer submits affidavit in reply on behalf of respondent No. 3. Same is taken on record along with spare copy for the applicant. Learned P.O. submits that other respondents are adopting the affidavit in reply filed on behalf of respondent No. 3.

3. S.O. to 29.10.2024 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 906 OF 2024
(Smt. Savita B. Nath Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri D.R. Kale Patil/H.S. Bali, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned Presenting Officer submits additional affidavit in reply on behalf of sole respondent. Same is taken on record along with spare copy for the applicant.

3. S.O. to 25.10.2024 for filing rejoinder affidavit, if any.

MEMBER (J)

M.A. No. 404/2024 in O.A. No. 970/2024
(Manda S. Waygudghe & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. The applicants are the widow and daughter of deceased Government employee respectively and seeking substitution of name of applicant No. 2 in place of applicant No. 1 in the list maintained for compassionate appointment seekers.

3. In view of the same and for the reasons stated in the application, the M.A. No. 404/2024 is hereby allowed and the applicants are permitted to sue jointly O.A. as filed by them, subject to payment of court fee stamps, if not paid.

4. M.A. No. 404/2024 stands disposed of accordingly. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 970 OF 2024
(Manda S. Waygudghe & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 27.11.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 27.11.2024.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**ORIGINAL APPLICATION NO. 373 OF 2021
(Ramesh N. Wagh Vs. State of Maharashtra & Ors.)**

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

DATE : 09.10.2024

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned counsel for the applicant, Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri M.S. Mahajan, learned counsel for respondent Nos. 2 & 3.

2. Part heard.

3. S.O. to 23.10.2024 for further hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 239 OF 2022
(Surajkumar N. Vanje Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri D.S. Mutalik, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 19.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 53 OF 2023
(Satish K. Marathe Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Smt. Rutuja L. Jakhade/Shri Suniket A. Kulkarni, learned counsel for the applicant (**absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. This matter pertaining to transfer is pending since the year 2023 without any interim relief.

3. S.O. to 19.11.2024 for passing order.

MEMBER (J)

ORIGINAL APPLICATION NO. 815 OF 2023
(Bijusing D. Gusinge Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 29.10.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 930 OF 2023
(Dr. Pravinkumar B. More Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Heard both the sides for some time.

3. Learned P.O. is directed to call service record of the applicant and details about the G.P.F. account till the next date of hearing.

4. S.O. to 20.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 998 OF 2023
(Goroba S. Barde Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 06.12.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 37 OF 2024
(Prajwal R. Sorate Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri A.D. Aghav, learned counsel for the applicant, is **absent**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. None present for the applicant. S.O. to 09.12.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 130 OF 2024
(Madhukar J. Rokade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Learned counsel for the applicants placed his reliance in a case of **Tausif Ali Ahaukat Ali and Ors. Vs. State of Maharashtra & Ors.** and other connected cases decided by this Tribunal by order dated 24.06.2024. Learned counsel for the applicants submits that the applicants case is covered by the ratio and observations made in the aforesaid case.

3. Learned P.O. seeks time to go through the same and make the appropriate submissions on the next date of hearing. Time granted.

4. S.O. to 24.10.2024 for hearing.

MEMBER (J)

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

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

DATE : 09.10.2024

ORAL ORDER :

Ms. Vishakha Patil, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant, Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities and Shri Avinash A. Khande, learned counsel for respondent No.4, are present.

2. At the request of learned counsel for respondent No.4, S.O. to 24.10.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 392 OF 2024
(Ramdas N. Kavatwad Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. S.O. to 11.12.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 394 OF 2024
(Sanjay G. Amrutwar Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits affidavit in rejoinder and copy thereof is already given to learned P.O.

3. S.O. to 13.11.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 487 OF 2024
(Rajabhau R. Chavan Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. S.O. to 06.12.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 624 OF 2024
(Dinesh B. Nerkar Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

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

2. At the request of learned P.O., S.O. to 21.10.2024 for hearing.

MEMBER (J)

M.A.NO. 312/2022 IN O.A.ST.NO. 1121/2022
(Dr. Balasaheb M. Kalegore & Ors. Vs. State of Maharashtra & Ors.)

WITH

M.A.NO. 238/2023 IN O.A.NO. 438/2023
(Dr. Dilip C. Godse & Ors. Vs. State of Maharashtra & Ors.)

WITH

M.A.473/2023 IN M.A. 474/2023 IN O.A.St. 2140/2022
(Dr. Gajanan G. Mohalle & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.10.2024

ORAL ORDER :

Shri P.R. Tandale, learned counsel for the applicants in all these matters and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. Leave to carry out correction in the chart submitted along with synopsis of events.

3. At the request of learned counsel for the applicants, S.O. to 25.10.2024 for hearing.

MEMBER (J)

O.A.NO. 801/2024 WITH M.A.NO. 455/2024
(Sharad Pandurang Jare Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri V.K. Jadhav, Member (J)
AND
Shri Debashish Chakrabarty, Member (A)

DATE : 09.10.2024

ORAL ORDER :

Through Video Conferencing

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

2. The present matter is reserved for order.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDER 09.10.2024

ORIGINAL APPLICATION NO. 468/2022
(Smita Sanjay Ingle Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

Shri P.G. Suryawanshi, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. S.O. to 25.10.2024. The interim relief, if any, granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 09.10.2024-HDD

ORIGINAL APPLICATION NO. 794/2022
(Ishvar Shatrughna Survase Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

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

2. S.O. to 28.10.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 09.10.2024-HDD

ORIGINAL APPLICATION NO. 196/2021
(Sandip Pandurang More Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

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

2. S.O. to 25.10.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 09.10.2024-HDD

ORIGINAL APPLICATION NO. 427/2020
(Rahul Bharat Chaudhare Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 25.10.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 09.10.2024-HDD

ORIGINAL APPLICATION NO. 426/2020
(Sunil Sahebrao Pagare Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

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

2. S.O. to 25.10.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 09.10.2024-HDD

**M.A.NO.563/2023 IN O.A.NO.526/2023
(Angad R. Shinde Vs. State of Maharashtra & Ors.)**

**O.A.NOS.1037, 1038, 1055 TO 1067, 1072 TO 1075 ALL
OF 2023
(Sanjay S. Patil & Ors. Vs. State of Maharashtra & Ors.)**

**O.A.NO.757/2023
(Yashwant Katkar & Anr. Vs. State of Maha. & Ors.)**

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

DATE : 09.10.2024

ORAL ORDER :

Shri R.P. Bhumkar, learned Counsel for the applicant in M.A. No.563/2023, Shri MS Deshmukh, learned Counsel for applicants in all these OAs and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities in all these matters, are present.

2. S.O. to 20.11.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDER 09.10.2024-HDD

ORIGINAL APPLICATION NO. 1235/2024
(Jalindar Gangaram Sable Vs. The State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 09.10.2024

ORAL ORDER :

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

2. The applicant had applied for the post of Senior Clerk in pursuance of the advertisement No. 2/2022 issued by respondent No. 2 on 17.02.2023. The applicant applied for the said post and in the selection process he secured merit No. 320 in the revised provisional select list. The said list was published on 24.11.2023. The selected candidates were called for document verification at Mumbai on 26.02.2024. It is the contention of the applicant that he could not reach to Mumbai on the said date because all the roads around Beed were blocked by agitations, seeking reservation in Government Employment for Maratha's. It is the further contention of the applicant that even internet service was not available on the said date. Learned counsel further submitted that even the notification by

which the candidates were called upon to remain present for document verification at Mumbai on 26.02.2024 came to be noticed by the applicant belatedly.

3. Learned counsel submitted that even otherwise the applicant could not have reached to Mumbai on the said date because of the aforesaid hurdle. Learned counsel submitted that on the same date the applicant tried to send mail bringing to the notice of the authorities that because of agitation (मराठा आंदोलन) he is unable to reach to Mumbai, but due to internet problem mail could not be reached to the authorities. Applicant subsequently also tried and grievance was ultimately reached to the respondents, but the applicant did not receive any response. The applicant, therefore, has approached this Tribunal seeking directions against respondent No. 2 to verify documents in respect of the applicant and consider the applicant for his appointment if he is otherwise entitled for that.

4. Learned Presenting Officer fairly submitted that the applicant deserves to be given an

opportunity for his document verification. It is brought to our notice that the third round of document verification is scheduled on 11.10.2024. We are convinced that the applicant for valid reason could not attend the document verification on the earlier occasion i.e. on 26.02.2024. When the applicant has secured place in the list of eligible candidates, on the aforesaid ground he shall not lose opportunity of being selected. In the circumstances, we are inclined to pass the following order: -

ORDER

- i) Respondent No. 2 shall allow the applicant to appear for document verification on 11.10.2024 and if not convenient on the said date, on any other suitable next date.
- ii) The Original Application stands disposed of in the aforesaid term. There shall be no order as to costs.
- iii) Steno copy is allowed to both the parties.

MEMBER (A)

VICE CHAIRMAN