

M.A.NO.109 OF 2023 IN O.A.ST.NO. 217 OF 2023
(Pranita G. Sonawane Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORDER

By this Misc. Application the applicant is seeking to condone the delay of 2 years, 3 months and 16 days caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 for seeking direction to decide the applicant's representations made to the respondent authorities for revaluation of paper No.-2 of part 1 of Auditor grade III exam of 2013 conducted in the year 2018-2019 for promotion as orders in O.A.No. 1235/2019 & Ors. is passed by MAT Bench in other similar situated persons.

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2. The representations made by the applicant to the respondents are dated 15.10.2019 and 18.10.2019. The prescribed limitation period of one year for filing O.A. came to an end on 17.10.2020. The judgment and order passed by the MAT Bench at Mumbai in O.A.No. 1235/2019 & Ors. is dated 22.11.2022. In view of the same, there is delay of about 2 years, 3 months and 16 days for filing accompanying Original Application which is filed on or about 31.01.2023.

3. Affidavit in reply is not filed on behalf of the respondents in the present Misc. Application.

4. We have heard at length the arguments advanced by Shri S.S. Dambe, learned Advocate for the applicant on one hand and Shri M.S.

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Mahajan, learned Chief Presenting Officer for the respondents on other hand.

5. It is pleaded that the MAT Bench at Mumbai has been pleased to decide the similar such matters by passing order dated 22.11.2020 in O.A.No. 1235 & Ors. The applicant's representations are pending with the respondent authorities waiting for decision on that. In such circumstances, delay cannot be said to be deliberate and intentional one. It is a settled principle of law that the expression "sufficient cause" is to be construed liberally. In the facts and circumstances of this case, in our considered opinion, this is a fit case to condone the delay of about 2 years, 3 months and 16 days caused in filing the Original Application by

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imposing moderate costs upon the applicant.

We compute the costs of Rs.1,500/- (One Thousand Five Hundred only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 109/2023 is allowed in following terms:-

- (A) The delay of about 2 years, 3 months and 16 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1500/- (One Thousand Five Hundred only) by the applicant. The amount of costs shall be deposited in the Registry of

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this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (A)

MEMBER (J)

M.A.NO. 367/2022 IN O.A.ST.NO.1301/2022
(Digambar S/o. Bhgoji Dahe & Ors. Vs. State of Maharashtra &
Ors.)

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

DATE : 10.04.2023

ORDER

By this Misc. Application the applicants are seeking to condone the delay of about 9 years caused in filing the accompanying Original Application under Section 19 of Administrative Tribunals Act, 1985 seeking declaration that the applicants were/are Government servants from their respective initial dates of appointments in the post of Unpaid Candidate/Coping Clerk issued by the respondent Nos. 3 or 4 and to grant all the consequential service benefits.

2. The applicants have filed this delay condonation application with accompanying Original Application. The respective dates of initial

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appointments of the applicants are 29.09.1984, 01.05.1984 and 01.05.1984 respectively. They are seeking reliefs/benefits as per G.R. dated 21.10.1995, 22.10.1996, two G.Rs. of 10.03.2005 each and one G.R. dated 02.09.2016 all issued by Revenue and Forest Department relating to absorption and giving appointment to Unpaid Candidates/Copying Clerk.

3. It is the contention of the applicants that they have good case on merits. Other similarly situated persons have already got benefits. All the applicants are senior citizens by now and therefore, they could not approach this Tribunal in time. Hence, this application.

4. Affidavit in reply is filed on behalf of the respondent Nos. 2 to 4, thereby denying the adverse contentions raised in the applicant and contending

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that no sufficient cause has been shown for condonation of delay.

5. We have heard at length the arguments advanced by Shri S.D. Dhongde, learned Advocate for the applicant on one hand and Shri D.R. Patil, learned Presenting Officer for the respondents on other hand.

6. The accompanying Original Application along with this Misc. Application is presented on or about 08.08.2022. Similarly situated persons have got the relief of absorption as per order dated 17.05.2019 passed in O.A.No. 385/2017 and various other petitions. In such circumstances, in our considered opinion, though the applicant cannot be said to be have recurring cause of action, this is a fit case to condone the delay by taking liberal view. The applicants have made representations during the

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period of 2018 to 2020 as reflected in Annexure 'A-2' of O.A. The same is also required to be considered as a cogent reason for filing the Original Application belatedly. The applicants would be liable to pay moderate costs. The applicants are senior citizens and considering that we compute the costs of Rs.1,000- (One Thousand only) each and proceed to pass the following order: -

ORDER

The Misc. Application No. 367/2022 is allowed in following terms:-

- (A) The delay of 9 years caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1000/- (One Thousand only) each by the applicants.

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The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (A)

MEMBER (J)

M.A.NO.170 OF 2022 IN O.A.ST.NO. 404 OF 2022
(Raosaheb Sakharam Deshmukh Vs. State of Maharashtra &
Ors.)

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

DATE : 10.04.2023

ORDER

By this Misc. Application the applicant is seeking to condone the delay of about 3 years and 11 months caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 seeking to consider temporary service rendered by the applicant w.e.f. 19.06.1989 to 08.03.1999 as qualifying service for pensionary benefits as per Rule 30 of M.C.S. (Pension) Rules, 1982 and to grant him all the consequential benefits.

2. The applicant was initially appointed for 29 days by order dated 16.06.1989 on temporary

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M.A.170/22 In
O.A.St.404/2022

basis on the post of Junior Clerk. His services were continued from time to time. In the year 1991, the applicant apprehended his termination of services by the respondents. Therefore he filed Writ Petition No. 1280/1991 before the Hon'ble High Court of Bombay Bench at Aurangabad, which Writ Petition was transferred to this Tribunal and was registered as T.A.No. 18/1992. In the said matter, interim relief in favour of the applicant was granted and thereby the services of the applicant were protected. The said T.A.No. 18/1992 was disposed of by order dated 01.03.2002 directing the respondents to take decision on proposal submitted by them for regularization of services of the applicant.

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M.A.170/22 In
O.A.St.404/2022

3. The proposal for regularization of services of the applicant was filed before the respondent No.1. That was accepted on 11.11.2003. The respondent No.1 issued G.R. thereby regularizing the services of the applicant for the post of Junior Clerk w.e.f. 08.03.1999 and was granted first Time Bound Promotion as per order dated 15.05.2012. The applicant in the year 2016 made representation seeking to consider his case for grant of Time Bound Promotion after completion of 12 years services w.e.f. 08.03.1999 and second Time Bound Promotion w.e.f. 08.03.2011 contending that he was working since 19.06.89 to 07.03.1999. Thereafter also he made representations in the year 2017 repeatedly. In the month of March 2018, the

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M.A.170/22 In
O.A.St.404/2022

applicant was promoted on the post of Deputy Accountant. He retired from that post on attaining the age of superannuation w.e.f. 30.06.2019. He is getting regular pension.

4. The applicant again made representations in the year 2021, but in vain. This Tribunal has granted similar such relief to other similarly situated persons as that of the applicant.

5. It is the contention of the applicant that the delay caused in filing the Original Application is not deliberate or intentional one. In between there was Covid-19 pandemic situation. Hence, this application.

6. Affidavit in reply is filed on behalf of the respondent Nos. 1 to 5, thereby denying the

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M.A.170/22 In
O.A.St.404/2022

adverse contentions raised in the application and contending that no sufficient cause has been shown by the applicant for condonation of delay.

7. We have heard the arguments advanced by Shri K.B. Jadhav, learned Advocate for the applicant on one hand and Shri D.R. Patil, learned Presenting Officer for the respondents on other hand.

8. The first representation made by the applicant is dated 26.10.2016. After lapse of 6 months therefrom, there is cause of action to the applicant to approach this Tribunal within limitation period of one year thereafter. The accompanying Original Application along with this delay condonation application is filed on or

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O.A.St.404/2022

about 28.02.2022. In view of that there is delay of about 3 years and 11 months in filing the accompanying Original Application.

9. It is a fact that there was Covid -19 Pandemic situation during the period of 2020-2021. No doubt cause of action did not arise from that time. However it was difficult for litigants to approach the Court during that time. It is contended on behalf of the applicant that the similarly situated persons have been granted benefit of treating temporary service as qualifying service for seeking pensionary benefits.

10. It is a settled principle of law that the expression "sufficient cause" is to be construed liberally. In the facts and circumstances of this

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M.A.170/22 In
O.A.St.404/2022

case, in our considered opinion, this is a fit case to condone the delay of about 3 years and 11 months caused in filing the Original Application by imposing moderate costs upon the applicant. We compute the costs of Rs.1,500/- (One Thousand Five Hundred only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 170/2022 is allowed in following terms:-

- (A) The delay of about 3 years and 11 months caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1500/-

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O.A.St.404/2022

(One Thousand Five Hundred only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (A)

MEMBER (J)

M.A.NO.370 OF 2022 IN O.A.NO. 678 OF 2022
(Chandrakant Ramesh Shrawane Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORDER

By this Misc. Application the applicant is seeking to condone the delay of about 18 months caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 challenging the impugned enquiry report dated 24.03.2022 (Annexure 'A-8' of O.A.) submitted by the enquiry committee whereby lawful grievance of the applicant was not considered and the claim of the applicant is defeated though he was selected in the selection process from NT-C category on the post of Kaksh-Sevak (Group-4).

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M.A.370/22 In
O.A. 678/2022

2. It is the contention of the applicant that he has a good case on merits. The cause of action is continuous one. However, if any delay is there, it is not deliberate or intentional one. Hence, this application.
3. Affidavit in reply is filed on behalf of the respondent Nos. 1 to 4, thereby denying the adverse contentions raised in the application and contending that no sufficient cause has been shown for condonation of delay.
4. The applicant filed affidavit in rejoinder denying the adverse contentions raised in the affidavit in reply and reiterating the contentions raised in the application.

5. We have heard at length the arguments advanced by Shri S.P. Dhobale, learned Advocate holding for Shri K.P. Shinde, learned Advocate for the applicant on one hand and Shri B.S. Deokar, learned Presenting Officer for the respondents on other hand.

6. After having considered the facts of the present case, we find that the applicant has a viable and debatable case, which requires consideration in the Original Application. Though the applicant pleaded that there is continuous case of action, it cannot be so, for a reason that impugned speaking order is passed by enquiry committee.

7. Considering the facts and circumstances, it cannot be said that there is deliberate or

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intentional delay in filing the Original Application. The Original Application is filed on or about 28.06.2022. The impugned enquiry report is dated 24.03.2022 (Annexure 'A-8' in O.A.). Considering prayer clause 'B' of O.A. it appears that the applicant is seeking his claim in the selection process of the year, 2007-2008. In such circumstances, delay is much more than pleaded by the applicant. The impugned order is of 2022. In the circumstances, the contention of the applicant requires consideration which can be done in the Original Application.

5. In the facts and circumstances of this case, in our considered opinion, this is a fit case to condone the delay caused in filing the Original Application by taking liberal

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M.A.370/22 In
O.A. 678/2022

view and by imposing moderate costs upon the applicant. We compute the costs of Rs.1,000/- (One Thousand only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 370/2023 is allowed in following terms:-

- (A) The delay of 18 months caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1000/- (One Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within

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M.A.370/22 In
O.A. 678/2022

a period of one month from the date of
this order.

MEMBER (A)

MEMBER (J)

M.A.NO. 614/2019 IN O.A.ST.NO. 2365/2023
(Hanuman S/o Punjaba Jarare Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORDER

By this Misc. Application the applicant is seeking to condone the delay of about 8 years and 8 months caused in filing the Original Application under Section 19 of Administrative Tribunals Act, 1985 seeking to challenge the impugned order dated 21.09.2013 issued by the respondent No.3 to the extent of treating the period from 30.03.2011 to 21.09.2013 as extraordinary period on medical ground and seeking direction to treat the said period as duty period and pay salary and allowance and challenging the impugned order dated

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M.A.614/19 In
O.A.St.2365/2019

29.03.2011 issued by the respondent No.3 retiring the applicant on medical ground and also challenging the impugned order dated 16.04.2010 issued by the respondent No.3, thereby reverting the applicant from the post of Head Constable to Constable and seeking pay protection.

2. It is the contention of the applicant that the delay is caused due to medical problems and lack of knowledge. It is not deliberate or intentional one. The financial condition of the applicant has become poor due to medical expenses. Moreover, the applicant was waiting for decision on representations made by him over the years. Hence, this application.

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M.A.614/19 In
O.A.St.2365/2019

3. Affidavit in reply is filed on behalf of the respondent No. 3 separately and on behalf of respondent Nos. 1,2 & 4 jointly, thereby denying the adverse contentions raised in the application and contending that no sufficient cause is shown for condonation of delay.

4. We have heard at length the arguments advanced by Shri K.B. Jadhav, learned Advocate for the applicant on one hand and Shri M.P. Gude, learned Presenting Officer for the respondents on other hand.

5. Considering the facts and circumstances of the case, it seems that the applicant was reverted in the year 2010 from the post of Head Constable to Constable and was made to retire in the year 2011 on the medical ground.

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M.A.614/19 In
O.A.St.2365/2019

The applicant is claiming to be disabled person. The applicant seems to have made various representations during the period of 2012 to 2017. The impugned orders are of various dates of 16.04.2010, 29.03.20211 and 21.09.2013. The accompanying Original Application along with this delay condonation application is filed on or about 10.12.2019. In view of the same, there is delay of about 8 years and 8 months.

6. The applicant has substantiated the ground of illness and disability by filing various medical papers. In such circumstances, in our considered opinion, the delay is required to be considered liberally and compassionately. The applicant is made to retire from service. The grievance of the applicant is that he was not

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M.A.614/19 In
O.A.St.2365/2019

given benefit of his disability. In such circumstances, this is a fit case to condone the delay 8 years and 8 months. Hence, we proceed to pass the following order: -

ORDER

The Misc. Application No. 614/2019 is allowed in following terms:-

- (A) The delay of about 8 years and 8 months caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned.
- (B) The accompanying O.A. be registered and numbered by taking in

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M.A.614/19 In
O.A.St.2365/2019

to account other office objection/s, if
any.

(C) No order as to costs.

MEMBER (A)

MEMBER (J)

M.A.NO. 150 /2023 IN O.A.ST.NO. 567/2023
(Pramod G. Kharat & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief 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 and since the applicants have prayed for same relief, to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST.NO. 567/2023
(Pramod G. Kharat & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 17.04.2023.

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 17.04.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 312 OF 2020
(Amol D. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri D.R. Irale Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 24.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

M.A.NO. 51/2019 IN O.A.ST.NO. 354/2017
(Ashruba B. Jaybhaye Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Smt. Renuka Ghule, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The Misc. Application is closed for orders.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

M.A.NO. 277/2019 IN O.A.ST.NO. 09/2019
(Kishan E. Vibhute Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Shri A.D. Kaware, learned Advocate for the applicant and Shri R.D. Kulkarni, learned Advocate for the respondent No.7 in O.A., are **absent**. Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. In view of absence of learned Advocate for the applicant and learned Advocate for the respondent No.7, S.O. to 05.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

M.A.NO. 51/2021 IN O.A.ST.NO. 184/2021
(Sangameshwar M. Kadam Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 19.04.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

M.A.NO. 301/2021 IN O.A.ST.NO. 1279/2021
(Dr. Eknath D. Male Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The Misc. Application is closed for orders.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

M.A.NO. 154/2022 IN O.A.ST.NO. 517/2022
(Savita S. Warale Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri V.P. Narwade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 02.05.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

M.A.NO. 332 OF 2022 IN O.A.NO. 742 OF 2022
(Ram H. Navtakke Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.340 OF 2022 IN O.A.NO.588 OF 2022
(Ramesh M. Chavan Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.341 OF 2022 IN O.A.NO.589 OF 2022
(Vijaykumar A. Naik Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.342 OF 2022 IN O.A.NO.590 OF 2022
(Shivaji R. Potdar Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.343 OF 2022 IN O.A.NO.591 OF 2022
(Khaja Lafitoddin Mohammad Hasnuddin & Ors. Vs. State of Maharashtra & Ors.)

WITH

M.A.NO.344 OF 2022 IN O.A.NO.592 OF 2022
(Gangadhar S. Pentewad Vs. State of Maharashtra & Ors.)

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

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.V. Lavte, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these matters.

2. Misc. Applications be kept along with Original Applications.
3. Hearing of Original Applications is expedited.
4. S.O. to 07.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

M.A.NO. 65/2023 IN O.A.NO. 832/2022
(Dr. Harshal M. Mahajan Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri S.N. Pagare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Record shows that interim relief is already granted in favour of the applicant.

3. Hence, Misc. Application stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 832 OF 2022
(Dr. Harshal M. Mahajan Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri S.N. Pagare, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant seeks liberty to substitute the respondent No.4 by Secretary, National Medical Commission.

3. Liberty as prayed for is granted.

4. Upon substitution, issue notice to the newly added respondent No.4, returnable on 04.05.2023.

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.

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O.A.832/2022

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 04.05.2023. Interim relief granted earlier to continue till then.

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

MEMBER (A)

MEMBER (J)

M.A.NO. 157/2023 IN O.A.NO. 1007/2019
(Mustafa Dastagir Khonde Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri B.S. Doifode, learned Advocate holding for Shri K.R. Doke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The Misc. Application is closed for orders.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

M.A.ST.NO. 391/2023 IN O.A.NO. 139/2021
(Sunil R. Barse Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities. Shri Vivek U. Rathod, learned Advocate for the respondent Nos. 6 & 7 in O.A. 139/2021 **(Absent)**.

2. Affidavit in reply filed on behalf of the respondent Nos. 1 to 3 in M.A. is taken on record.

3. At the request of the learned Advocate for the applicant, S.O. to 19.04.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 702 OF 2021
(Vivekanand P. Dhongade Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate holding for Shri A.S. Khedkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for orders.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 453 OF 2018
(Balasaheb R. Mendhekar & Ors. Vs. State of Maharashtra &
Ors.)

WITH

ORIGINAL APPLICATION NO. 454 OF 2018
(Balaji B. Budhwant & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicants in both the O.As, Shri M.P. Gude, learned Presenting Officer for the respondent authorities in both the O.As. and Shri S.S. Dambe, learned Advocate for the respondent Nos. 5 to 12 in O.A.No. 453/2018.

2. The present matters have already been treated as part heard.

3. At the request of the learned Advocate for applicants, S.O. to 19.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 252 OF 2022
(Dr. Sudhir V. Bhise Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 25.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

M.A.NO. 544/2022 WITH O.A.NO. 762 OF 2018
(Maharashtra Rajya Bazar Samiti Karmachari Seva Nivrutti
Vetan Yojna, Pune through its CEO, Balasaheb G. Katore Vs.
State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri V.V. Deshmukh, learned Advocate for the applicant/intervenor in M.A., Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri S.D. Joshi, learned Advocate for the applicants in O.A.No. 762 of 2018/respondent Nos. 1 to 38 in M.A.

2. Record shows that as per farad sheet order dated 13.03.2023, M.A.No. 544/2022 is kept along with Original Application No. 762/2018 for hearing/disposal in accordance with law.

3. In the Misc. Application, the affidavit in reply is filed on behalf of the original applicants along with some documents.

4. During the course of hearing, learned Advocate for the applicant in M.A./intervenor orally seeks to counter the documents without any pleading on record.

//2// M.A.544/2022 WITH
O.A.762/2018

5. It was for the intervenor to make out all the grounds in the Misc. Application. Now, learned Advocate for the intervenor wants to file affidavit in rejoinder in M.A.

6. In view of the same, last chance is granted to file affidavit in rejoinder in M.A.

7. The Original Application has already been treated as part heard.

8. S.O to 18.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 299 OF 2019
(Rahul T. Pol & Ors. Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 463 OF 2021
(Payal P. Tathe Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in bot the O.As. and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities in both the O.As.

2. The O.A.No. 299/2019 be treated as part heard.

3. S.O. to 27.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 892 OF 2018
(Dhananjay D. Chandodkar & Ors. Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 901 OF 2018
(Bhagwat S. Somase Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants in both the O.As. and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in both the O.As.

2. At the request of the learned Advocate for the applicants, final chance is granted for filing affidavit in rejoinder in both the O.As.

3. S.O. to 03.05.2023. Interim relief granted earlier in O.A.No. 892/2018 to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 734 OF 2021
(Ganesh S. Panchal Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Smt. Shilpa Awchar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned Advocated for the applicant submits that the applicant does not wish to file affidavit in rejoinder.

3. In view of the same, S.O. to 16.06.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1067 OF 2022
(Shivaji D. Sirsat Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri P.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue fresh notice to the respondent No.5, returnable on 22.06.2023.
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.

//2//

O.A.1067/2022

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. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent Nos. 1 to 4.

8. S.O. to 22.06.2023.

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

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 06 OF 2023
(Pandurang G. Lomole Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, time is granted for filing affidavit in rejoinder.

3. S.O. to 03.05.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 804 OF 2017
(Prakash D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Hearing of this Original Application is expedited.

3. S.O. to 26.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 939 OF 2017
(Dattatraya S. Bargaje Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Hearing of this Original Application is expedited.

3. S.O. to 26.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 537 OF 2019
(Narendra R. Thakur Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Hearing of this Original Application is expedited.

3. S.O. to 26.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1062 OF 2022
(Pawan M. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Affidavit in reply filed on behalf of the respondent Nos. 2 & 3 is taken on record and copy thereof has been served on the other side.

3. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of the respondent No.1.

4. S.O. to 08.06.2023 for filing affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent Nos. 2 & 3, if any.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 308 OF 2021
(Nita B. Magare Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Shri S.S. Jadhavar, learned Advocate for the applicant (**Absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, present.

2. Await service of notice upon the respondent No.1.

3. S.O. to 23.06.2023 as a last chance for filing affidavit in reply on behalf of the respondent Nos. 2 & 3.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1083 OF 2022
(Santosh R. Shirsat & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. At the request of the learned P.O., time is granted for filing affidavit in reply on behalf of all the respondents.

3. S.O. to 03.05.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 544 OF 2022
(Jagdish N. Yengupatla Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri Sanjay N. Pagare, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri Onkar Joshi, learned Advocate holding for Shri Jiwan J. Patil, learned Advocate for the respondent No.4.

2. At the request of the learned Advocate for the applicant, last chance is granted for filing affidavit in rejoinder.

3. S.O. to 19.06.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 517 OF 2017
(Anup S. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri M.V. Bhamre, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. S.O. to 27.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 818 OF 2021
(Dr. Ashwini A. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Amol T. Jagtap, learned Advocate for the respondent No.9.

Shri S.G. Kulkarni, learned Advocate for the respondent No.8 and Shri Akshay H. Joshi, learned Advocate for the respondent No.7, are **absent**.

2. Shri Ajit Kadethankar, learned Advocate filed **VAKALATNAMA** on behalf of the respondent No.6. It is taken on record.

3. S.O. to 06.06.2023 for hearing. **High on board.**

4. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 461 OF 2022
(Sunil P. Vispute Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

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

2. S.O. to 28.04.2023 for hearing. **High on board.**

3. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 16 OF 2022
(Vd. Piyush K. Gandhi & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri M.R. Kulkarni, learned Advocate for the respondent Nos. 4 to 7.

2. S.O. to 03.05.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

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

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri K.V. Patil, learned Advocate for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. S.O. to 28.04.2023. **High on board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

O.A.NO. 165/2021 WITH O.A.NO. 680/2021
(Anil Y. Rokade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicants in both the O.As., Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in both the O.A. and Shri S.B. Patil, learned Advocate for the respondent Nos. 2 & 3 in both the O.As.

2. S.O. to 28.04.2023. **High on Board.**

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 535 OF 2013
(Shubhangi A. Shejul & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for orders.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 185 OF 2016

(Lalu J. Pawara Vs. State of Maharashtra & Ors.)

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

and

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri K.B. Jadhav, learned Advocate for the respondent No.4. Shri C.V. Bhadane, learned Advocate for the respondent No.3, **absent**.

2. The present matter has already been treated as part heard.

3. S.O. to 21.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 851 OF 2016
(Jagdish B. Pardeshi Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for orders.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 633 OF 2012
(Sachin S. Unawane & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. S.O. to 06.06.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 575 OF 2013
(Sharad E. Madne & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for orders.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 10.04.2023.

ORIGINAL APPLICATION NO. 461 OF 2015
(Vijay L. Tarode Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. S.O. to 06.06.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 201 OF 2016
(Sayyed Habib Sayyed Abdul Rahim & Ors. Vs. State of
Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

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

2. S.O. to 21.04.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 750 OF 2016
(Jaysing S. Maher Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities. Shri S.B. Patil, learned Advocate for the respondent No.2 and Shri S.T. Shelke, learned Advocate for the respondent No.4, are **absent**.

2. Learned Advocate for the applicant on written instructions seeks permission to withdraw the present Original Application as the grievance has been redressed.

3. We have no reason to refuse permission to withdraw the Original Application when the withdrawal is sought unconditionally.

4. In view of the same, the Original Application stands disposed of as withdrawn. No order as to costs.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 768 OF 2019
(Balasaheb T. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.

3. S.O. to 03.05.2023 at 3 p.m.

MEMBER (J)

ORIGINAL APPLICATION NO. 83 OF 2020
(Devendra I. Sonar Vs. State of Maharashtra & Ors.)

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

DATE : 10.04.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

Shri Y.M. Patil, learned Advocate for the respondent No.3, **absent**.

2. The present matter has already been treated as part heard.

3. S.O. to 03.05.2023.

MEMBER (J)

Date : 10.4.2023

O.A. NO. 279/2023

**(Shri Sheshrao R. Kharate V/s State of Maharashtra
& Ors.)**

**Per :- Standing directions of Hon'ble Chairperson,
M.A.T., Mumbai**

1. Smt. Suchita Dhongde, learned Advocate for the applicant and Shri M.P. Gude, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **27.4..2023**. The case be listed for admission hearing on **27.4.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR