

**ORIGINAL APPLICATION NO.240/2022
(Ankij Sawai Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.03.2022

ORAL ORDER :

Heard Shri C.V.Dharurkar, learned Advocate for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents.

2. The applicant's case is that he suffered from COVID-19 infection during its Wave-1 which took place in year 2019. He further suffered from post covid complications and had undergone angioplasty in November, 2020.

3. As the applicant was not allowed to join M.Sc. Nursing Course at a private nursing institute at Osmanabad, the applicant applied for admission in M.Sc. Nursing course at Institute of Nursing Education, Mumbai in the month of October, 2021. On getting selected for the course in the month of October, 2021, the applicant was

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relieved from Osmanabad vide order issued by Civil Surgeon, Osmanabad by order dated 03-11-2021 to join the course at Mumbai. After joining at Mumbai Institute on 09-11-2021, the applicant decided to quit the said course midway on ground of personal and family reasons vide his letter dated 07-12-2021 submitted to the Principal of Nursing Institute at Mumbai.

4. The learned Counsel for applicant has argued that the applicant had left M.Sc. Nursing course at Mumbai out of fear of higher risk of Omicron variant of Corona and applied for admission in the College of Nursing, Government Medical College, Nagpur on merit, however, the department has now shown its disinclination for permitting the applicant to pursue the said course and to grant study leave relying on Rule 8.8 of the brochure of the Nursing College at Mumbai.

5. It is the contention of the applicant that the aforesaid Rule 8.8 is applicable only in so far as the course to be

pursued in the Nursing College at Mumbai. It is further submitted that the circumstance in which the applicant was compelled to give up the said course require consideration. Learned Counsel further submitted that denial by the respondent no.1 to allow the applicant to join the Nursing Course at Government Nursing College, Nagpur is apparently unsustainable. The learned Counsel submits that the applicant is getting the admission in the said college at Nagpur on his own merit. It is further contended that by 7th March, 2022, the applicant was expected to join the said course. It is further contended that the seat is still vacant at Nagpur. In the circumstances, interim relief is prayed vide prayer clause (D) or (E) or (F).

6. Learned PO has opposed for granting any such interim relief stating that the applicant had taken admission at Mumbai in November, 2021 and thereafter it is for personal and family reasons that he has left the

course halfway without any cogent and justifiable reasons, therefore, the rules do not permit granting of relief prayed for. Upon being asked by the Tribunal learned P.O. submitted that there is no authentic information available whether the seat allotted to the applicant at Nursing College, Nagpur is still vacant or otherwise.

7. After having considered the submissions advanced by the learned Counsel appearing for the applicant and the learned P.O. for the respondents and on going through the documents filed on record, it appears to us that the applicant has not given true reason for leaving the course at Mumbai halfway, the authorities may consider his application for admission at Nursing College, Nagpur as per extant rules, if the seat is vacant. **In case the seat in Nursing College at Nagpur is vacant, taking into consideration balance of convenience, we are inclined to grant interim relief in terms of prayer clause (F) of the O.A. till filing the affidavit in reply by the respondents.**

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8. In the meanwhile, issue notice to the respondents, returnable on 31.03.2022.

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

10. 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.

11. 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.

12. 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

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before due date. Applicant is directed to file affidavit of compliance and notice.

13. S.O. to 31.03.2022.

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

MEMBER (A)

MEMBER (J)

YUK ORAL ORDERS 10.03.2022

M.A.NO.103/2022 IN O.A.ST.NO.456/2022
(Dr. Atul Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.03.2022

ORAL ORDER :

Heard Shri C.V.Dharurkar, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned CPO, S.O. tomorrow i.e. on 11-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.241/2022
(Dr. Ravi K. Tote Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.03.2022**

ORAL ORDER :

Shri G.K.Kshirsagar, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned CPO, S.O. tomorrow i.e. on 11-03-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.242/2022
(Dr. Faisalkhan Pathan Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.03.2022**

ORAL ORDER :

Shri G.K.Kshirsagar, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents, are present.

2. At the request of learned PO, S.O. tomorrow i.e. on 11-03-2022.

MEMBER (A)

MEMBER (J)

M.ANO.443/2019 IN O.A.NO.335/2019
(Hanumant Patil & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.03.2022

ORAL ORDER :

Heard Shri R.N.Bharaswadkar, learned Advocate for the applicant in M.A., Shri V.R.Dhorde learned Advocate for the applicant in O.A. and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned PO, S.O. tomorrow i.e. on 11-03-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.154/2021
(Surendra H. Gandam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.03.2022

ORAL ORDER :

Heard Shri Satish Chitgopekar, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents, are present.

2. Today, sur-rejoinder is filed by the respondents in the present matter. Same is taken on record. Copy thereof has been served on the other side.

3. Learned PO has, however, sought time for making the submissions on merit. When the present matter is being taken up for consideration, the Court time is almost over. It may not be possible to hear the arguments and pass the order, if so required. In the circumstances and having regard to the nature of the dispute raised in the matter, we adjourn the matter till 06-04-2022. On that date the matter will be positively heard.

4. Hence, S.O. to 06-04-2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.25/2019
(Dnyaneshwar Kale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.03.2022

ORAL ORDER :

Shri R.N.Bharaswadkar, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents, are present.

2. S.O. to 07-04-2022.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1011 OF 2019
(Vitthal S. Lokhande Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Ms. Amruta Pansare, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 to 3 is taken on record.
3. Learned Advocate for the applicant has received the copy of said reply.
4. Affidavit-in-reply is already filed on behalf of the respondent No.4.
5. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.
6. 12.04.2022.

MEMBER (J)

SAS ORAL ORDERS 10.03.2022

ORIGINAL APPLICATION NO. 1070 OF 2019
(Surybhan B. Nagre Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 & 2. Shri Umesh S. Mote, learned Advocate for the respondent No.3 is **absent**.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 2.

3. S.O. to 06.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 19 OF 2020
(Pralhad L. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.3 and 4 is taken on record.
3. Learned Advocate for the applicant has received the copy of said affidavit-in-reply.
4. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 2.
5. S.O. to 05.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 20 OF 2020
(Shankar N. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Shri J.M. Murkute, learned Advocate for the applicant is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 08.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 346 OF 2020
(Babu Adbalwar Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits that he would file affidavit-in-reply on behalf of the respondent No.3 during the course of the day.
3. S.O. to 08.04.222 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 533 OF 2020
(Sadashiv D. Sakhare Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondent Nos.1 to 3 & 5 and Shri S.B. Patil, learned Advocate for the respondent Nos.4 & 6.

2. Record shows that the affidavit-in-reply is filed only on behalf of the respondent No.5.

3. Learned Advocate for the respondent Nos.4 & 6 submits that the applicant has retired from the office of Vishnupuri Project Division, Nanded. However, the applicant has not joined the said office as one of the respondents.

4. Perusal of Original Application would show that the applicant has not pleaded the date of his retirement and has not pleaded from which office he has retired. However, he is retired from the service is a fact.

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5. The applicant to take note of this situation and take necessary steps.
6. At the request made on behalf of the respondents Nos.1 to 3, 4 and 6, time is granted for filing affidavit-in-reply.
7. S.O. to 08.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 549 OF 2020
(Nitin T. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Shri P.S. Dighe, learned Advocate for the applicant is **absent**. Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 11.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 571 OF 2020
(Madhukar R. Mpari Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is filed only on behalf of the respondent No.4.
3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3.
4. S.O. to 11.4.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 597 OF 2020
(Amil S. Shidore Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri Govind B. Chate, learned Advocate holding for Shri Sandip R. Andhale, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 22.03.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 110 OF 2021
(Dr. Namdeo R. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

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

2. At the request of the learned Advocate for the applicant, S.O. to 06.04.2022 for taking necessary steps.

MEMBER (J)

**ORIGINAL APPLICATION NO. 164 OF 2021
(Balu A. Chavan Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Ms. Tejal R. Mankar, learned Advocate holding for Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

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

3. S.O. to 28.03.2022.

MEMBER (J)

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

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri R.K. Khandlwal, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is filed only on behalf of the respondent Nos.3 and 4.
3. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 and 2.
4. S.O. to 06.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 269 OF 2021
(Kishor G. Narwade Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

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

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

3. S.O. to 28.03.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 332 OF 2021
(Suraj B. Mundhe Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.T. Chalikwar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 04.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 384 OF 2021
(Shripatrao B. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

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

2. Record shows that last chance was granted to respondent Nos.1 to 3 to file affidavit-in-reply.
3. Learned P.O. submits that the para-wise remarks are sent to the Government for approval.
4. In view of above, one more last chance is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3.
5. S.O. to 01.04.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 387 OF 2021
(Shankar B. Ghogare Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

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

3. S.O. to 08.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 465 OF 2021
(Azad Khadarshed Patel Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri B.S. Deshmukh, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos.1 & 2 and Shri V.B. Wagh, learned Advocate for the respondent Nos.3 to 8.

2. Record shows that the affidavit-in-reply is filed on behalf of the respondent Nos.1 and 2.

3. The Original Application is filed seeking appropriate direction to the respondent Nos.1 and 2 to consider the claim proposal/representation dated 16.03.2021 made by the applicant for his transfer at either of the places mentioned in the prayer by setting aside the impugned transfer order dated 06.08.2021 issued by the respondent No.2 to the extent of the respondent Nos.3 to 8 or in the alternate to give the transfer to the applicant at one of the places of respondent Nos.3 to 8 by transferring them from their existing place.

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4. The applicant to consider whether prayer as against the respondent Nos.3 to 8 challenging their transfer and further seeking transfer of one of them is maintainable under Section 19 of Administrative Tribunals Act, 1985.
5. S.O. to 31.03.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

SAS ORAL ORDERS 10.03.2022

ORIGINAL APPLICATION NO. 534 OF 2021
(Shaikh Mohammed Shoeb Sarfaz Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 08.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.542 OF 2021
(Dr. Sunil K. Palhal Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri Onkar Gholap, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1,2 & 4 and Shri S.S. Shinde, learned Advocate for the respondent No.5. None present on behalf of the respondent No.3 though duly served.

2. At the request made on behalf of the above said respondent Nos.1,2,4 and 5, time is granted for filing affidavit-in-reply.

3. S.O. to 01.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 690 OF 2021
(Dr. Arvindkumar N. Waghmare Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant on instruction submits that the applicant does not wish to proceed with the application. He, therefore, seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission to withdraw the present Original Application as the withdrawal is sought unconditionally.

4. Accordingly, the Original Application stands disposed of as withdrawn. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 817 OF 2021
(Vilas K. Dhole Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Shri K.N. Shermale, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.
3. At the request of the learned Advocate for the applicant, S.O. to 12.04.2022 for taking steps.

MEMBER (J)

ORIGINAL APPLICATION NO. 26 OF 2022
(Dr. Eknath D. Male Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.B. Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 31.03.2022.

MEMBER (J)

**M.A.NO.137 OF 2020 IN O.A.ST.NO.46 OF 2020
(Sagar A. Zinjurde Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Shri L.V. Sangit, learned Advocate for the applicant is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 and 2 is taken on record.
3. Learned P.O. deposited extra copy of affidavit-in-reply for the applicant.
4. S.O. to 12.04.2022 for hearing.

MEMBER (J)

**M.A.NO.204 OF 2020 IN O.A.ST.NO.678 OF 2020
(Ramdas N. Sangle Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is filed on behalf of the respondent No.1.
3. S.O. to 12.04.2022 for hearing.

MEMBER (J)

**M.A.NO.205 OF 2020 IN O.A.ST.NO.680 OF 2020
(Ravindra G. Barde Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is filed on behalf of the respondent No.1.
3. S.O. to 12.04.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 10.03.2022

**M.A.NO.223 OF 2020 IN O.A.ST.NO.870 OF 2020
(Vitthal S. Bade Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As per direction given by order dated 28.10.2021, learned Advocate for the applicant produced on record the copy of his relieving order dated 26.11.2018. It is taken on record at page No.24 of Paper Book.
3. At the request of the learned P.O., time is granted for filing affidavit-in-reply.
4. S.O. to 05.04.2022.

MEMBER (J)

**M.A.NO.335 OF 2020 IN O.A.ST.NO.1475 OF 2020
(Prabhakar S. Jagtap Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he would file service affidavit during the course of the day.
3. At the request of the learned P.O., time is granted for filing affidavit-in-reply.
4. S.O. to 11.04.2022.

MEMBER (J)

**M.A.NO.18 OF 2021 IN O.A.ST.NO.64 OF 2021
(Asef Aslam Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri R.R. Bangar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent No.1 and Shri Suresh D. Dhongde, learned Advocate for the respondent Nos.2 & 3.

2. At the request made on behalf of the respondents, time is granted for filing affidavit-in-reply.

3. S.O. to 29.03.2022.

MEMBER (J)

SAS ORAL ORDERS 10.03.2022

M.A.NO.8 OF 2022 WITH O.A.NO.557 OF 2021
(Dr. Vyankatesh N. Ainlod Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant in the present M.A./respondent No.5 in O.A., Smt. P.V. Bodke Patil, learned Advocate for the respondent No.1 in the present M.A./applicant in O.A., Shri M.S. Mahajan, learned Chief Presenting Officer for respondent Nos.2 to 4 & 6 in M.A./ and for the respondent Nos.1 to 3 & 6 in O.A. Shri Ashish Shinde, learned Advocate for the respondent No.5 in the present M.A./respondent No.4 in O.A. is **absent**.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.4 and 5 in O.A.

3. Affidavit-in-reply today filed on behalf of the respondent Nos.1 to 3 & 6 in O.A. is taken on record.

4. The applicant in M.A./respondent No.5 in O.A. has made Misc. Application No.8/2022 seeking vacating interim relief dated 21.09.2021 granted by this Tribunal in O.A.

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5. Learned Advocate for the applicant in M.A./respondent No.5 in O.A. has advanced his arguments at length. Meanwhile, affidavits-in-reply are being filed on behalf of all the respondents in O.A. as observed earlier. The matter is pertaining to transfer.

6. In the circumstances, this Original Application with Misc. Application is admitted and fixed for final hearing by granting liberty to original applicant to file rejoinder, if any.

7. S.O. to 28.03.2022.

MEMBER (J)

**M.A.ST.NO.2339 OF 2019 IN M.A.NO.62 OF 2019 IN
O.A.ST.NO.257 OF 2019**

(Babasaheb N. Rakte Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. By this Misc. Application, the applicant is seeking restoration of the Misc. Application No.62/2019 in O.A.St.No.257/2019 which was dismissed for want of necessary steps by order dated 24.06.2019. The applicant is also seeking condonation of delay in this application which is about 4 months and 13 days.

3. Considering the dates involved in the matter, it is evident that the delay is of 4 months and 13 days. In this regard, it is the contention of the applicant that the applicant could not get knowledge about the dismissal of the Misc. Application. When he contacted his Advocate on 24.11.2019, he came to know about the dismissal of said Misc. Application No.62/2019. Thereafter, he made application seeking restoration by condoning the delay of about 4 months and 13 days.

//2//

4. Record would show that the applicant has filed Original Application for pensionary benefits along with the delay condonation application. In the circumstances, it would be just and proper to get fair opportunity to the applicant to be in the matter. I therefore, proceed to pass the following order:-

ORDER

- (i) Misc. Application St.No.2339 of 2019 is allowed.
- (ii) The order of dismissal passed in M.A.No.62/2019 in O.A.St.No.257/2019 is set aside and the M.A.No.62/2019 is restored to file by condontion the delay.
- (iii) No order as to costs.

MEMBER (J)

M.A.NO.62 OF 2019 IN O.A.ST.NO.257 OF 2019
(Babasaheb N. Rakte Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri A.S. Shelke, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue fresh notice to the respondents in M.A., returnable on 11.04.2022

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// M.A.62/2019 In
O.A.St.257/19

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 11.04.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 772 OF 2021
(Prakash Jaywant Salve & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

None present on behalf of the applicants.

Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicants, S.O. to 12.04.2022.

MEMBER (J)

SAS ORAL ORDERS 10.03.2022

ORIGINAL APPLICATION NO. 573 OF 2021
(Ramesh M. Shirsth Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Shri M.V. Thorat, learned Advocate for the applicant is **absent**. Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 12.04.2022.

MEMBER (J)

SAS ORAL ORDERS 10.03.2022

ORIGINAL APPLICATION NO. 254 OF 2021
(Datta D. Wagmare & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate holding for Shri Vikram S. Kadam, learned Advocate for the applicants, Shri V.R. Bhumkar, learned Presenting Officer for the respondent No.1 and Shri N.U. Yadav, learned Advocate for the respondent Nos.2 & 3.

2. At the request of the learned Advocate for the applicants, S.O. to 17.03.2022.

MEMBER (J)

SAS ORAL ORDERS 10.03.2022

ORIGINAL APPLICATION NO. 253 OF 2021
(Shaikh Nabi Shaikh Muqbul Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate holding for Shri Vikram S. Kadam, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, S.O. to 17.03.2022.

MEMBER (J)

SAS ORAL ORDERS 10.03.2022

**M.A.NO.15 OF 2021 IN O.A.ST.NO.1139 OF 2020
(Chunnilal R. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.N. Suryawanshi, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent No.5 and Shri S.A. Kulkarni, learned Advocate holding for Shri S.P. Pandit, learned Advocate for the respondent Nos.1 to 4.

2. At the request of the learned Advocate for the applicant, S.O. to 11.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 233 OF 2020
(Arun Anantrao Ghate Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent Nos.1 to 3. Shri S.B. Mene, learned Advocate for the respondent No.4 is **absent**.

2. At the request of the learned Advocate for the applicant, S.O. to 12.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 214 OF 2020
(Ajinath A. Bangar Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant on instruction submits that the applicant does not wish to proceed with the application. He, therefore, seeks permission to withdraw the present Original Application.

3. I have no reason to refuse the permission to withdraw the present Original Application as the withdrawal is sought unconditionally.

4. Accordingly, the Original Application stands disposed of as withdrawn. No order as to costs.

MEMBER (J)

**O.A. Nos. 117, 205, 396, 410, 416, 442, 453, 463, 479, 484, 542, 571, 590, 611, 613, 621, 686, 731, 594 & 643 ALL OF 2015 AND O.A. NOS. 02, 05, 171, 441, 258 & 519 ALL OF 2016
(Ganendrsingh B. Chandel & Ors. Vs. State of Mah. & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Shri M.A. Kulkarni, learned Advocate for the applicant in O.A. Nos. 571/15, 611/2015, 731/2015 & 05/2016 (**absent**).

Heard Shri J.B. Choudhary, H.A. Joshi, Shri S.D. Dhongde and Shri S.B. Mene, learned Advocate holding for Shri S.B. Sant, learned Advocates for the respective applicants in respective O.As. and S/Shri M.S. Mahajan S.K. Shirse, N.U. Yadav, D.R. Patil, V.R. Bhumkar, M.P. Gude, Mrs. Deepali S. Deshpande and Smt. Sanjivani Deshmukh-Ghate, learned Chief Presenting Officer and learned Presenting Officers for the respective respondents in respective O.As. Shri M.A.

2. As per the Circular No. MAT/MUM/ESTT/732/ 2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding "Termination and benefits of continuation in service" are to be dealt with by the Division Bench. The present matters are pertaining to Termination /benefits of continuation of service.

//2// O.A. No. 117/2015 & Ors.

3. In view of the same, the present matters be placed before the Division Bench for further hearing.

4. S.O. to 19.04.2022.

MEMBER (J)

KPB ORAL ORDERS 10.03.2022

**O.A. No. 858/2018 with O.A. No. 86/2019 with
O.A. No. 118/2019 with O.A. No. 278/2019 with
O.A. No. 421/2019 with O.A. No. 392/2020 with
O.A. No. 394/2020 with O.A. No. 395/2020 with
O.A. No. 398/2020 with O.A. No. 173/2021**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri P.D. Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicants in O.A. No. 858/2018, Shri S.D. Dhongde, learned Advocate for the applicants in O.A. Nos. 86/19, 118/19, 278/19, 421/19, 392/20, 394/20, 395/20 & 398/20, Shri G.N. Patil, learned Advocate for the applicant in O.A. No. 173/2021 and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all these O.As.

2. Learned Presenting Officer placed on record a copy of minutes of the officers of the Land Records Department dated 07.03.2022 in respect of steps to be taken for compliance of the order of the Hon'ble Supreme Court dated 01.12.2021 in respect of unpaid candidates. Same it taken on record and is made part of affidavit in reply filed on behalf of respondents.

3. Learned Advocate for the applicants Shri S.D. Dhongde, placed on record three orders dated

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O.A. Nos. 858/2018 & Ors.

24.02.2022, 25.02.2022 & 02.03.2022 passed by the Hon'ble Division Bench of the Principal Seat of this Tribunal at Mumbai in separate C.Ps. arising out of similar nature matters. Same are taken on record and marked as document X-collectively for the purpose of identification.

4. S.O. to 07.04.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 802 OF 2021
(Ranjana B. Solat Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Shri V.Y. Bhide/ S.H. Pathan, learned Advocate for the applicant (**Absent**). Heard Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. 12.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 170 OF 2022
(Rajaram R. Zende Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant today placed on record a copy of suspension order dated 24.01.2011. It is taken on record at page No. 29 of the paper book.

3. Issue notices to the respondents, returnable on 13.04.2022.

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.

//2//

O.A. No. 170/2022

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 13.04.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 229 OF 2022
(Suresh K. Bharati Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.A. Kulkarni, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 13.04.2022.
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 13.04.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 234 OF 2022
(Sanjay P. Sangle Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 07.04.2022.
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 07.04.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 443 OF 2019
(Rinesh D. Gavit Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Pleadings up to rejoinder are complete. The present matter is pertaining to suspension. Hence, the O.A. is admitted and it be fixed for final hearing on 07.04.2022.

3. Interim relief granted earlier to continue till next date.

MEMBER (J)

ORIGINAL APPLICATION NO. 50 OF 2021
(Ravindra L. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri G.V. Mohekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Pleadings up to rejoinder are complete. The present matter is pertaining to release of salary. Hence, the O.A. is admitted and it be fixed for final hearing on 20.04.2022.

MEMBER (J)

**M.A. No. 247/2020 in O.A. St. No. 339/2020
(Pandit K. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.S. Tanale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. The present matter is to be treated as part heard.
3. At the request of learned Presenting Officer, S.O. to 08.04.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 23 OF 2021
(Nagnath P. Telgane Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

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

2. The present matter has already been treated as part heard.
3. Learned Presenting Officer submits that during the course of the day he will file short affidavit as per the order dated 22.02.2022.
4. S.O. to 17.03.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 484 OF 2021
(Shrimant M. Ubale Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant filed additional affidavit as per the order dated 02.03.2022. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 29.03.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 506 OF 2021
(Ranjana A. Barde Vs. State of Maharashtra & Ors.)**

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

DATE : 10.03.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant filed additional affidavit as per the order dated 02.03.2022. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 29.03.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 930 OF 2016
(Chudaman D. Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Shri Shrikant Patil, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 12.04.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 116 OF 2017
(Dr. Dhanraj W. Kendre Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Shri V.V. Deshmukh, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present on behalf of the applicant, S.O. to 18.04.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 10.03.2022

ORIGINAL APPLICATION NO. 502 OF 2017
(Public Prosecutors Association Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, Chief learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 18.04.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 310 OF 2019
(Durgesh M. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Shri K.B. Bhise, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 18.04.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 488 OF 2019
(Shaikh Ajmal Shaikh Abdulla Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri K.A. Kale, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 19.04.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 900 OF 2019
(Arvind R. Bhingardive Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 11.04.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 721 OF 2019
(Bhagwan W. Landge Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 07.04.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 981 OF 2019
(Ravindra K. Deshmukh Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri G.V. Mohekar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 20.04.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 438 OF 2021
(Sambhaji K. Mali Vs. State of Maharashtra & Ors.)

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

DATE : 10.03.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent No. 1 and Shri C.V. Dharurkar, learned Advocate for respondent No. 2.

2. The present Original Application is filed challenging the impugned order of transfer of the applicant dated 29.07.2021 (Annexure A-5) issued by the respondent No. 1, thereby he was transferred from the post of Agricultural Supervisor, Taluka Agricultural Office, Paranda, Circle Ananla, Headquarter Anala to the post of Agricultural Supervisor, Divisional Joint Director, Latur Division, Latur Headquarter.

3. The applicant thereafter amended the present O.A. and joined the respondent No. 2 i.e. private respondent and challenged his order of transfer dated 30.08.2021. By the said order, the respondent No. 2 was transferred from Taluka Agriculture Office, Kalamb Circle Shiradhan, Headquarter Shiradhan to

Taluka Horticulture Nursery, Washi, contending that the applicant has sought option of Taluka Horticulture Nursery, Washi.

4. The affidavit in reply is filed on behalf of respondent No. 1, as well as, respondent No. 2. When the matter was posted for final hearing, the applicant filed short affidavit (page Nos. 118 to 126 of the paper book) and contended that during pendency of the present O.A., he has filed representations dated 10.02.2022 (page No. 121 of the paper book) and dated 24.02.2022 (page No. 124 of the paper book) seeking accommodation at Javla-2, Tq. Paranda, Dist. Osmanabad or Anala-1, Tq. Paranda, Dist. Osmanabad.

5. Learned Advocate for the applicant submits that without going into the merit of the O.A., the same can be disposed of by giving appropriate direction to the respondent No. 1 to consider the said two representations made by the applicant stating that the post at Javala-2, Tq. Paranda, Dist. Osmanabad will fall vacant on the superannuation of J.S. Sayyed on 31.05.2022 and the post at Anala-1, Tq. Paranda,

//3// O.A. 438/2021

Dist. Osmanabad is likely to fall vacant by transfer of one Shri S.M. Shinde in the General Transfers of the year 2022, he being due for transfer.

6. Learned P.O. submits that the appropriate order can be passed. Similarly the learned Advocate for respondent No. 2 also submits that the O.A. can be disposed of by passing appropriate order.

7. In the circumstances, in my considered opinion, the present O.A. can be disposed of by giving direction to the respondent No. 1 to consider and decide both the representations of the applicant in the process of General Transfers of the year 2022. I therefore, proceed to pass following order :-

ORDER

The Original Application stands disposed of in following terms :-

1. The respondent No. 1 is directed to consider the representations of the applicant dated 10.02.2022 (page No. 121 of the paper book) and 24.02.2022 (page No. 124 of the paper book) in accordance with law in ensuing General Transfers of the year 2022.
2. There shall be no order as to costs.

MEMBER (J)

**M.A.NO. 232/2021 IN O.A.ST.NO. 932/2021
(Mahendra K. Wadgaonkar Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Heard Shri Mahendra K. Wadgaonkar applicant in person and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. This is an application seeking condonation of delay, which is occurred in filing the accompanying O.A. As is revealing from the contents of the application, the cause of action in fact had arisen in the year 2012. This application is filed in the year 2021. Apparently the delay appears to be of 9 years.

3. We have gone through the contents of the application for condonation of delay, as well as, affidavit in reply submitted to the said application by the respondents. It appears that the equivalence of the degree, which was prescribed for eligibility for the subject post, was the issue involved. As has been contended by the applicant in person he in the meanwhile was trying hard to seek final information about the equivalence of the said degree and ultimately he got the necessary explanation sometime in the year 2018. In the meanwhile certain developments had taken place and a fresh advertisement was issued in the said period and the applicant also participated in the said

**:: - 2 - :: M.A.NO. 232/2021 IN
O.A.ST.NO. 932/2021**

process. However, it has been informed that none has been selected on the said post pursuant to fresh advertisement also. It appears to us that arguable issues are raised by the applicant in the O.A. In the circumstances, merely on the point of the delay it may be unjust and improper to shut the door for the applicant.

4. Learned Chief Presenting Officer though has vehemently opposed condonation of delay stating that the entire procedure, which was concluded in the year 2012, it is not advisable to reopen the issues, which has become stale and inaction on the part of the applicant cannot be rewarded, however, as has been mentioned hereinabove, we find that the applicant was sincere in making efforts to collect the necessary material so as to prove his contention. All other issues can be considered in the O.A. We are however, of the opinion that since the issues raised requires to be considered and the same cannot be considered unless the O.A. is directed to be registered, we are inclined to allow the present application. Hence the following order: -

ORDER

The application for condonation of delay is allowed. The accompanying Original Application be registered and numbered in accordance with law.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATIO ST. NO. 932 OF 2021
(Mahendra K. Wadgaonkar Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri Mahendra K. Wadgaonkar applicant in person and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. After registration of the present O.A., issue notice to respondents, returnable on 25.4.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 25.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 149 OF 2016
(Madhukar U. Sonwane & Ors. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri A.D. Gadekar, learned counsel for the applicants, Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1, 3 & 4 and Shri Sham Patil, learned counsel for respondent No. 2, are present.

2. Learned counsel for the applicants submits that applicant No. 7 does not want to proceed with the present application. Pursis in that regard under the signature of the said applicant is filed on record.

3. In view of the above, following order is passed: -

ORDER

(i) Name of the applicant No. 7 be deleted from the array of the applicant. The necessary amendment be carried out by 23.3.2022.

(ii) S.O. to 23.3.2022.

MEMBER (A)
ORAL ORDERS 10.3.2022-HDD

MEMBER (J)

**M.A.ST.NO. 373/2022 IN O.A.ST.NO. 374/2022
(Ghansham D. Chavan & Anr. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Heard Shri D.T. Devane, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. When the present M.A. is taken up for consideration, the learned counsel appearing for the applicants, on instructions, submitted that he is not pressing O.A. for applicant No. 2.

3. In view of the submission as aforesaid we need not to pass any order in M.A. The learned counsel shall delete the name of applicant No. 2 from the array of the applicants. It would be open for applicant No. 2 to file application before the Principal Seat of this Tribunal at Mumbai, if he so desires.

4. Accordingly, the present M.A. stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 374 OF 2022
(Ghansham D. Chavan Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri D.T. Devane, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 22.4.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 22.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATIO NO. 235 OF 2022
(Dilip Ambar Patole Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 22.4.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 22.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATIO NO. 236 OF 2022
(Bhagyashri T. Patil Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 22.4.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 22.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**M.A.ST. 322/22 IN M.A.ST.450/22 IN O.A.ST.323/22
(Manik S. Desale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. M.A. for condonation of delay 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)

M.A.ST.450/22 IN O.A.ST.323/22

(Manik S. Desale & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND**

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri S.D. Dhongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Issue notice to respondents in delay condonation application, returnable on 22.4.2022.

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

4. Applicant 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. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 22.4.2022.

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

MEMBER (A)

MEMBER (J)

**M.A.NO. 99/2022 IN O.A.ST.NO. 414/2022
(Maharashtra State Gezettered Medical Officer
Association through its President Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It is brought to our notice by the learned counsel appearing for the applicants that though in the Association the Members are from all over State, the original application is restricted to the persons posted within the jurisdiction of this Tribunal. In the circumstances, it does not appear to us that there may be any difficulty in allowing the Association to file the original application.

3. With the above observations, the present M.A. stands disposed of with no order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 414 OF 2022
(Maharashtra State Gezettered Medical Officer Association
through its President Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 20.4.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant 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. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 20.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 172 OF 2022
(Suresh S. Bobade Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 13.4.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant 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. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 13.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 171 OF 2022
(Madansing S. Gusinge Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 13.4.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant 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. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 13.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 168 OF 2022
(Shirish R. Yadav Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned counsel for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 13.4.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant 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. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 13.4.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 167 OF 2022
(Pravin K. Kokande Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned counsel for the applicant seeks leave to amend the O.A. for making the Caste Scrutiny Committee as a party respondent and to take the necessary pleadings in the body of the original application.
3. Leave as prayed for is granted. The necessary amendment be carried out on or before the next date.
4. S.O. to 13.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 222 OF 2022
(Annasaheb M. Shinde & Ors. Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Heard Shri Jiwan J. Patil, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It is brought to our notice that the contesting respondent has already filed reply and the prayer is, therefore, made for listing the present case for hearing.

3. Learned Chief Presenting Officer submits that there may not be any difficulty for keeping the present case for hearing.

4. In the circumstances, list the present case for hearing on 5.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 799 OF 2021
(Shrish R. Yadav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Jiwan J. Patil, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted by way of last chance.

3. S.O. to 5.4.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

ORAL ORDERS 10.3.2022-HDD

MEMBER (J)

**C.P.NO. 3/2022 IN O.A.NO. 80/2021
(Bhimrao N. Kokate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Shamsundar B. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned counsel appearing for the applicant, on instructions, submits that the applicant does not wish to file rejoinder affidavit.

3. In the circumstances, list the present case for hearing on 5.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**C.P. 3/20 IN C.P. 47/18 IN O.A. 138/16
(Dr. Shaikh Faiz Mohd. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri R.R. Bangar, learned counsel holding for Shri I.D. Maniyar, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri D.T. Devane, learned counsel for respondent No. 4, are present.

2. At the request of learned counsel for the applicant, S.O. to 12.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

C.P. 27/2019 IN O.A. NO. 260/2017
(Bhagwat D. Bedke Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri V.V. Gujar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 22.4.2022.

MEMBER (A)

ORAL ORDERS 10.3.2022-HDD

MEMBER (J)

**ORIGINAL APPLICATION NO. 42 OF 2022
(Surendranath B. Shinde Vs. State of Maharashtra &
Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri S.S. Kulkarni, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present. Shri S.D. Kotkar, learned counsel for respondent No. 17 (**absent**).

2. At the request of learned counsel for the applicant, S.O. to 24.3.2022.

MEMBER (A)

ORAL ORDERS 10.3.2022-HDD

MEMBER (J)

**C.P.NO. 1/2021 IN O.A.NO. 83/2018
(Vyankat S. More & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Kiran M. Nagarkar, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

3. S.O. to 19.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**ORIGINAL APPLICATION NO. 709 OF 2017
(Ramesh M. Sonawane Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri P.R. Rakhunde, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 19.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 592 OF 2018
(Nilesh B. Pardeshi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri A.S. Golegaonkar, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 & 2, is present. Shri R.S. Patil, learned counsel for respondent No. 3 (**absent**).

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent No. 1. Time granted.

3. S.O. to 20.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 4 OF 2019
(Govind P. Gite Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri A.S. Kulkarni, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 97 OF 2019
(Kirkhan Iliyaskhan Pathan Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Y.B. Pathan, learned counsel for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**ORIGINAL APPLICATION NO. 501 OF 2019
(Kashinath G. Kadam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Amol S. Gandhi, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 648 OF 2019
(Kishor G. Deshpande Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**ORIGINAL APPLICATION NO. 651 OF 2019
(Chandulal D. Ghule Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Prabhakar N. Nagargoje, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**ORIGINAL APPLICATION NO. 920 OF 2019
(Dr. Datta M. Dhanve Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 1027 OF 2019
(Arjun D. Sonwane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Suresh D. Dhongde, learned counsel holding for Smt. Suchita A. Dhongde, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Ajay D. Pawar, learned counsel for respondent No. 3, are present.

2. Pleadings are complete. List the present case for hearing on 22.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 366 OF 2021
(Narayansingh B. Thakur Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of the respondent No. 3 and the same is taken on record and copy thereof has been served on the other side.
3. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
4. S.O. to 22.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 407 OF 2021
(Aziz Immam Shaikh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Gaurav L. Deshpande, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 25.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**ORIGINAL APPLICATION NO. 455 OF 2021
(Anil T. Patil Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri S.D. Kotkar, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondents, is present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 25.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 645 OF 2021
(Ulhas D. Chavan Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri S.T. Chalikwar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Second set not filed. The applicant shall file second set on or before the next date.

3. S.O. to 25.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**ORIGINAL APPLICATION NO. 646 OF 2021
(Ashok G. Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri S.T. Chalikwar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Second set not filed. The applicant shall file second set on or before the next date.
3. S.O. to 25.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 678 OF 2021
(Suresh G. Tandale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Swaraj Tandale, learned counsel holding for Shri B.R. Kedar, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.
3. S.O. to 5.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 812 OF 2021
(Kamlakar G. Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri S.K. Mathpathi, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 26.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 65 OF 2022
(Rajashri S. Wakale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri S.D. Munde, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

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

3. Learned counsel for the applicant has sought time for filing rejoinder affidavit. Time granted.

4. S.O. to 26.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 115 OF 2022
(Pralhad V. Kurewad Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri R.B. Ade, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 26.4.2022.

MEMBER (A)

ORAL ORDERS 10.3.2022-HDD

MEMBER (J)

**ORIGINAL APPLICATION NO. 209 OF 2022
(Renuka S. Saudagar & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri C.V. Dharurkar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 27.4.2022.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 198 OF 2022
(Yogiraj V. Kedare & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Await service.
3. S.O. to 27.4.2022.

MEMBER (A)

MEMBER (J)

**M.A.NO. 611/2019 IN O.A.ST.NO. 2374/2019
(Rambhau A. Nikam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.

2. Second set not filed. The applicant shall file the second set on or before the next date.

3. S.O. to 11.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**M.A. 146/20 WITH M.A.NO. 418/20 IN O.A.ST.419/20
(Maharashtra Rajya Pashu Sawardhan Abhiyantriki
Karmachari Sanghatana Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Gaurav L. Deshpande, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.
3. S.O. to 11.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**M.A.NO. 397/2021 IN O.A.NO. 139/2021
(Sunil R. Barse Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Raghavendra M. Bharaswadkar, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted.

3. S.O. to 15.4.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.3.2022-HDD

**M.A.NO. 12/2022 IN O.A.ST.NO. 1746/2021
(Keshav W. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Shamsundar B. Patil, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 5 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 12.4.2022.

MEMBER (A)

ORAL ORDERS 10.3.2022-HDD

MEMBER (J)

O.A.NOS. 445 TO 447, 449 TO 459, 494, 113, 114 ALL OF 2017, M.A.NO. 325/2017 IN O.A.ST.NO. 941/2017, M.A. 36/2019 IN M.A.ST.82/2019 IN O.A.ST.83/2019 AND M.A. 144/19 IN O.A.ST.400/19

(Marathwada Van Va Samajik Vanikaran Rojandari Va Kayam Kamgar Karmachari Va Sarva Shramik Sanghatana, Beed & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.03.2022

ORAL ORDER :

S/Shri A.R. Lukhe, learned counsel holding for A.S. Shelke, S.S. Shinde & V.G. Pingle, learned counsel for the respective applicants in respective cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases, are present.

2. Learned Chief Presenting Officer sought time for filing sur-rejoinder of the respondents in all these cases. Time granted.

4. S.O. to 27.4.2022.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 10.03.2022-HDD

**ORIGINAL APPLICATION NO. 807 OF 2021
(Sahebrao J. Ghadge Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri D.T. Devane, learned counsel holding for Shri Mahendra B. Kolpe, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted.
3. S.O. to 13.4.2022.

MEMBER (A)

MEMBER (J)

O.A. 818/2018 WITH M.A. 521/2018
(Shri Kishor S. Suradkar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.3.2022**

ORAL ORDER :

Heard Shri G.K. Muneshwar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The learned Counsel for the applicant submitted that the facts in the present Original Application are identical with the facts in another Original Application No. 581/2018 which has been allowed by the Tribunal vide order dated 21.2.2022. Therefore, the present Original Application may also be allowed.

3. On perusal of this Original Application it has come to our notice that the facts in this matter are materially different. The submission, as has been made by the learned Counsel for the applicant, is apparently not acceptable.

4. The learned C.P.O. has elaborated that in the present matter, the applicant was relieved from his parent department i.e. Irrigation Department and he had also joined in the Soil & Water Conservation Department w.e.f.

23.10.2018. On the other hand in Original Application No. 581/2018 the applicant therein though had exercised the option, was not relieved from the parent department i.e. Irrigation Department and continued to serve in the said department. There was interim order in her favour and in the said order the parent department i.e. Irrigation Department was restrained from relieving her. We may further note that in the meanwhile decision was taken by the Soil & Water Conservation Department not to get resumed any of the employee, who has exercised option earlier, but not joined till date. So the same criteria may not apply in the present matter.

5. For the reasons stated above, we see no merit in the present Original Application and the same therefore deserves to be dismissed and is accordingly dismissed without any order as to costs.

6. In view of dismissal of Original Application nothing remains in M.A. No. 521/2018 for further adjudication and same also stands disposed of.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 762/2018

(Shri Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Omkar Gholap, learned Counsel holding for Shri S.D. Joshi, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has sought 2 weeks time to place on record the relevant documents which may be useful for deciding the present Original Application. Time granted.

3. List the matter for hearing on 29.3.2022. **High on Board.**

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 372/2021
(Sanjay N. Deshpande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri Vikas G. Kodale, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1, 2, 4 & 5, are present. Shri Sachin S. Deshmukh, learned Counsel for respondent no. 3 (**absent**).

2. The learned Presenting Officer is directed to produce on record for our perusal the report on the basis of which the impugned action has been taken against the applicant.

3. S.O. to 30.3.2022. **High on Board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 743/2021
(Shri Ashish S. Susare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri S.P. Salgar, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 27.4.2022 for hearing. **High on Board.**

MEMBER (A)

MEMBER (J)

C.P. 19/2019 IN O.A. 226/2016
(Shri Shivram N. Dhapate Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.3.2022**

ORAL ORDER :

Shri P.M. Shinde, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 19.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

C.P. 29/2020 IN O.A. 1014/2019
(Shri Bade R. Shridhar Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.3.2022**

ORAL ORDER :

Shri C.V. Dharurkar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. With the consent of both the sides, S.O. to 22.3.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 577/2017
(Shri Ramesh G. Chaudhari Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.3.2022**

ORAL ORDER :

Shri A.G. Ambetkar, learned Counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned Counsel for respondent no. 3, are present.

2. With the consent of both the sides, S.O. to 25.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 48/2018
(Shri Sanjay N. Nade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Vivek Pingle, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 22.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 67/2018
(Dr. Mohd. Feroz Iqbal Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri K.G. Salunke, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 22.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 232/2019
(Shri Maruti T. Kamble & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Vivek Pingle, learned Counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 22.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 562/2020
(Shri Amit N. Bari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 7.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 100/2021
(Smt. Manisha T. Gite Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.3.2022**

ORAL ORDER :

Shri Dhananjay A. Mane, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 5.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 735/2021
(Shri Prashant S. Pol Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Avinash S. Deshmukh, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 13.4.2022 for hearing.

MEMBER (A)

MEMBER (J)

M.A. 185/2021 IN O.A. 257/2021
(Shri Nanasaheb L. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 6.4.2022. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

M.A. 192/2021 IN O.A. 258/2021
(Shri Laxman N. Sormare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri K.B. Jadhav, learned Counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 6.4.2022. The interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 738/2016
(Shri Amol D. Bedse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities and Shri N.L. Choudhary, learned Counsel for respondent no. 4, are present.

2. With the consent of both the sides, S.O. to 29.3.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 139/2017
(Shri Shaikh Liyakat Sk. Dildar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri V.P. Golewar, learned Counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 6.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 189/2018
(Shri Dhiraj A. Salve Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Rahul O. Awsarmol, learned Counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned Counsel for respondent nos. 4 to 8, are present.

2. With the consent of both the sides, S.O. to 6.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 531/2019
(Shri Nagnath V. Hatkar & Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.3.2022

ORAL ORDER :

Shri Shamsunder B. Patil, learned Counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 8.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

M.A. 112/2021 IN O.A. 386/2020
(Ganga S. Suryawanshi Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.3.2022**

ORAL ORDER :

Shri S.C. Bhosale, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. With the consent of both the sides, S.O. to 8.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

**O.A. NOS. 192, 193 AND 194 ALL OF 2019
(Kashinath T. Soundalkar & Ors. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Member (J)
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 10.3.2022

ORAL ORDER :

Shri V.B. Wagh, learned Counsel for the applicants in all the three matters, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities in all the three matters and Shri S.B. Mene, learned Counsel for respondent nos. 1 & 2 in all the three matters, are present.

2. The learned Presenting Officer has filed separate affidavit in reply of respondent no. 3 in respective matters. The same are taken on record and copies thereof are supplied to other side.

3. S.O. to 7.4.2022 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 942/2018
(Dr. Meena R. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora, Member (J)**
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **10.3.2022**

ORAL ORDER :

Smt. A.N. Ansari, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. When the present matter is taken up for consideration today the learned Counsel for the applicant has tendered two documents received to her from the applicant on whatsapp. The learned Counsel submits that she has taken printout of said documents and has accordingly submitted these two documents on record. After having read the contents of the said documents we find that contrary submissions were made by the learned Counsel for the applicant on the previous date i.e. on 3.3.2022, which are duly recorded in the order passed by the Tribunal on that day.

3. In the circumstances, we direct Smt. Ansari, learned Counsel to file her affidavit and also call upon the applicant to make statement on affidavit in regard to the documents, which are today submitted on record. The

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O.A. NO. 942/2018

respondents are also directed to file affidavit in reply bringing out to the notice of the Tribunal the factual aspects.

4. S.O. to 13.4.2022. **High on Board.**

MEMBER (A)

MEMBER (J)

ARJ ORAL ORDERS 10.3.2022