

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 06.04.2023.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 06.04.2023.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

ORIGINAL APPLICATION NO. 170 OF 2023
(Balkrushna M. Joshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Application is pertaining to Time Bond Promotion/A.C.P.S.

3. In view of the same, the present matter be placed before the Single Bench.

4. S.O. to 30.03.2023.

MEMBER (J)

M.A.NO. 24 OF 2023 IN O.A.NO. 766 OF 2022
(Keshav M. Jambutkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in M.A., returnable on 21.04.2023.

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

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

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

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 21.04.2023.

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

MEMBER (J)

M.A.NO. 242 OF 2021 IN O.A.NO. 299 OF 2019
(Rahul T. Pol & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicants submitted that the Misc. Application has become infructuous.

3. In view of the submission made on behalf of the learned Advocate for the applicants, the Misc. Application stands disposed of being infructuous. No order as to costs.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

O.A.NO. 299/2019 WITH O.A.NO. 463/2021
(Rahul T Tol & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in both the O.A., Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in O.A.No.299/2019 and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in O.A.No.463/2021.

2. Hearing is expedited.
3. S.O. to 03.04.2023. **High on Board.**

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

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

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

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

3. S.O. to 30.03.2023 for filing short affidavit on behalf of the respondent No.3.

MEMBER (J)

ORIGINAL APPLICATION NO. 290 OF 2019
(Raesh L. Tanade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

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

Shri A.D. Aghav, learned Advocate for the respondent No.2, is **absent**.

2. S.O. to 30.03.2023.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

ORIGINAL APPLICATION NO. 412 OF 2020
(Omprakash H. Kothari Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities. Shri S.B. Patil, learned Advocate for the respondent Nos. 2 & 4, is **absent**.

2. S.O. to 13.04.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 579 OF 2021
(Siddharth R. Pandurnikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities. Shri Shailendra S. Kulkarni, learned Advocate for the respondent No.4, **absent**.

2. The present matter has already been treated as part heard.
3. S.O. to 29.03.2023. **High on Board**.

MEMBER (J)

**O.A.NO. 95/2022 WITH O.A.NO. 97/2022 WITH
M.A.NO. 62/2022 IN O.A.ST.NO. 209/2022
(Vijay U. Kale & Ors. Vs. State of Maharashtra & Ors.)**

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

(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Shri G.M. Jadhav, learned Advocate for the applicants in all these matters (**Absent**). Smt. Deepali S. Deshpande, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Offices and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in respective matters.

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

3. S.O. to 29.03.2023. **High on Board.**

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

ORIGINAL APPLICATION NO. 76 OF 2018
(Purushottam S. Andhale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities. Shri L.M. Kulkarni, learned Advocate for the respondent Nos. 3 to 6 and Shri S.R. Shirsath, learned Advocate for the respondent Nos. 7 to 9, are **absent.**

2. S.O. to 31.03.2023 for hearing. **High on Board.**

MEMBER (J)

O.A.NOS. 759/2021, 21/2022 AND 639/2022
(Ashwini A. Wavhal & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri S.B. Solunke, learned Advocate holding for Shri A.V. Thombre, learned Advocate for the applicants in all these O.As., Shri M.S. Mahajan, learned Chief Presenting Officer, Shri N.U. Yadav and Smt. Sanjivani K. Deshmukh-Ghate, learned presenting Officers for the respondents in respective O.A.

2. S.O. to 30.03.2023 for hearing. **High on Board.**

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

ORIGINAL APPLICATION NO. 432 OF 2017
(Kishan P. Ghodekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

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

2. S.O. to 17.03.2023 for final hearing. **High on Board.**

MEMBER (J)

M.A.NO. 41 OF 2022 IN O.A.NO. 458 OF 2018
(Anita B. Kolgane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

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

2. S.O. to 31.03.2023 for hearing. **High on Board.**

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

ORIGINAL APPLICATION NO. 1149 OF 2022
(Dileep M. Devkate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri P.P. Dama, learned Advocate for the
applicant and Shri M.S. Mahajan, learned Chief
Presenting Officer for the respondent authorities.

2. S.O. to 30.03.2023. **High on Board.**

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

O.A.NOS. 670/2021, 672/2021 AND 673/2021
(Gokul D. Patil & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants in all these matters and Smt. Sanjivani K. Deshmukh-Ghate, Shri D.R. Patil and Shri N.U. Yadav, learned Presenting Officers for the respondent authorities in respective matters.

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 Regularization/continuation in service are to be dealt with by the Single Bench. The Original Applications are pertaining to Regularization.

3. In view of the same, the present matters be placed before the Single Bench.

4. The present Original Applications be detagged from the respective Contempt Petitions.

5. S.O. to 29.03.2023.

MEMBER (J)

C.P.ST.NO. 04/2023 IN O.A.NO. 670/2021
(Gokul D. Patil Vs. State of Maharashtra & Ors.)

WITH

C.P.ST.NO. 06/2023 IN O.A.NO. 672/2021
(Sanjaykumar M. Sonawane Vs. State of Maharashtra & Ors.)

WITH

C.P.ST.NO. 07/2023 IN O.A.NO. 673/2021
(Rekha S. Chavan (Lohar) Vs. State of Maharashtra & Ors.)

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

(This matter is placed before the Single Bench due to non-availability of Division Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicants in all these matters and Smt. Sanjivani K. Deshmukh-Ghate, Shri D.R. Patil and Shri N.U. Yadav, learned Presenting Officers for the respondent authorities in respective matters.

2. S.O. to 29.03.2023.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023

ORIGINAL APPLICATION NO. 254 OF 2022
(Sandip W. Khadse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri A.W. Khadse, learned Advocate for
the applicant and Shri S.K. Shirse, learned
Presenting Officer for the respondent authorities.

2. S.O. to 23.03.2023 for hearing.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

C.P.NO. 10 OF 2022 IN O.A.NO. 191 OF 2021
(Sandip W. Khadse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

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

2. S.O. to 23.03.2023 for hearing.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

ORIGINAL APPLICATION NO. 919 OF 2022
(Rahul R. Burrewar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri Vijay A. Dhakne, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents failing which the matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 12.04.2023.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

ORIGINAL APPLICATION NO. 925 OF 2022
(Vijaykumar P. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri R.R. Kakani, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents failing which the matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 31.03.2023.

MEMBER (J)

C.P.NO. 61/2019 IN O.A.NO. 533/2015
(Shivaji P. Shinde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent No.2. Hence, the matter will proceed further without affidavit in reply of the respondent No.2.

3. S.O. to 31.03.2023 as a last chance for filing affidavit in rejoinder on behalf of the applicant.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

O.A.NOS. 631, 677 AND 714 ALL OF 2019
(Dilip V. Kadam & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Shri R.D. Khadap, learned Advocate for the applicants in O.A.No. 631 & 714 of 2019 (**Absent**). Heard Shri S.B. Solunke, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant in O.A.No. 677/2019 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.A.

2. At the request of the learned C.P.O., one more last chance is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 4 in O.A.No. 631/2019 and on behalf of respondent Nos. 1 & 4 in O.A.No. 714/2019.

3. S.O. to 11.04.2023.

MEMBER (J)

ORIGINAL APPLICATION NO. 351 OF 2022
(Taher Ali Mohd. Ali Shah Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 03.04.2023 for admission.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

M.A.NO. 351 OF 2020 IN O.A.NO. 470 OF 2018
(Mahadabai G. Dhulekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri V.P. Kadam, learned Advocate for the applicant and Smt. Sanjivai K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent Nos. 4 & 5. Hence, the matter will proceed further without affidavit in reply of the respondent Nos. 4 & 5.

3. S.O. to 17.04.2023 for hearing. The applicant is at liberty to file affidavit in rejoinder to the affidavit in reply filed on behalf of the respondent Nos. 1 to 3.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

M.A.NO. 16/2022 IN O.A.ST.NO. 1505/2021
(Ramesh R. Kulthe Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, affidavit in rejoinder is not filed on behalf of the applicant.

3. S.O. to 03.04.2023 for hearing.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

M.A.NO. 163/2022 IN O.A.ST.NO. 1492/2021
(Goroba S. Barde Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Record shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondents. Hence, the matter will proceed further without affidavit in reply of the respondents.

3. S.O. to 05.04.2023 for hearing.

MEMBER (J)

SAS ORAL ORDERS 10.03.2023.

ORIGINAL APPLICATION NO. 439 OF 2013
(Sakharam G. Choughule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Shri R.D. Khadap, learned Advocate for the applicant (**Absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities, is present.

2. Short affidavit filed on behalf of the respondent No.3 is taken on record.

3. S.O. to 29.03.2023 for final hearing peremptorily.

MEMBER (J)

ORIGINAL APPLICATION NO. 208 OF 2019
(Bhaskar P. Dole & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
(This matter is placed before the Single
Bench due to non-availability of Division
Bench)

DATE : 10.03.2023

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicants, Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri N.U. Yadav, learned Advocate for the respondent No.4.

2. As per the Circular No. MAT / MUM/ JUD/ 1340/2022, dated 22.12.2022 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding voluntary retirement, counting of service for initial modified assured progress scheme by G.R. dated 01.07.2011, service benefit, pensionary other than pay scale, time bound promotion, ACPS and lien are to be dealt with by the Single Bench. The Original Application is pertaining to Time Bond Promotion/A.C.P.S.

3. In view of the same, the present matter be placed before the Single Bench.

4. S.O. to 03.04.2023 for final hearing.

MEMBER (J)

M.A.NO.209/2021 IN O.A.NO.580/2017
(Subhmangal Bhakt Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 10-03-2023

ORAL ORDER :

Heard Shri D.T.Devane, learned Counsel holding for Shri M.B.Kolpe, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities.

2. This application is filed seeking restoration of O.A.No.580/2017 which was dismissed for want of prosecution on 02-07-2019. Learned Counsel submits that on 02-07-2019 Counsel for the applicant could not remain present because of his own personal difficulty and also could not instruct somebody for mentioning the matter or to seek adjournment. Learned Counsel further submits that the fact of the order of dismissal passed in the matter was also not noticed till December, 2019. Thereafter, because of the CORONA pandemic situation the applicant could not file restoration application within time. Learned Counsel further submits that the applicant may be given an

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M.A.NO.209/2021 IN O.A.NO.580/2017

opportunity for prosecuting his matter on merits by restoring the same to its original stage.

3. Learned P.O. has strongly opposed for accepting the request so made. It is submitted that, applicant is always noticed to be negligent in prosecuting his matter. Learned P.O. submits that it is the duty of the applicant to be alert in prosecuting his own matter and it seems that the diligence has not been shown by the applicant. Learned P.O. in the circumstances, has prayed for rejecting the application.

4. I have duly considered the submissions advanced by the learned Counsel appearing for the applicant. It is true that as seen from the record there is reason to believe that the applicant was not diligent in prosecuting his own matter. The responsibility is always on the applicant along with this Counsel to be diligent in prosecuting the case. Though the reference is made to the pandemic period, it started from March, 2020 and before that also the applicant could have filed the restoration application.

=3=

M.A.NO.209/2021 IN O.A.NO.580/2017

5. In spite of the facts as aforesaid, the question remains that the applicant will be losing an opportunity of prosecuting the matter on merit. Though all these lapses are there, those can be compensated by imposing costs on the applicant but an opportunity of prosecuting the matter on merits cannot be denied. I am, therefore, inclined to allow the present application by imposing costs on the applicant. Hence, the following order:

ORDER

- [i] Order dated 02-07-2019 passed in O.A. is hereby recalled.
- [ii] Matter be restored to its original stage after depositing the costs of Rs.5000/- by the applicant with the Registry of the Tribunal within 3 weeks from the date of this order.
- [iii] After the amount of costs is deposited, matter be restored and listed on board in due course.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.1152/2022
(Krishna P. Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri K.G.Salunke, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. Affidavits in reply are already filed. Rejoinder is not to be filed.

3. List the matter for hearing on 05-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

ORIGINAL APPLICATION NO.37/2023
(Ravindra Bantode Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 10-03-2023

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent nos.2 to 4. Same is taken on record. Learned P.O. submits that respondent no.1 shall not file separate reply and the reply filed on behalf of respondent no.2 to 4 is adopted by respondent no.1. In the meanwhile, applicant may file rejoinder, if he so desires.

3. Matter be listed for hearing on 10-04-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.608/2022
(Mahendra S. Surwade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has requested for a short adjournment. Request accepted.

3. Matter be listed on S.O. to 15-03-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.114/2022
(Dr. Bhausaheb Randhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri J.S.Deshmukh, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondent authorities, are present.

2. The contesting respondent has filed the affidavit in reply. No rejoinder is to be filed.

3. List the matter for hearing on 10-04-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.341/2022
(Shaikh Shafiqueidin Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

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

2. On request of learned P.O. time to file affidavit in reply is granted by way of last chance till 13-04-2023. If reply is not filed on or before the due date, the matter will be heard without reply of the respondents.

3. S.O. to 13-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

**ORIGINAL APPLICATION NO.55/2019
(Bhimrao Bramhane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri Amol Bhalerao, learned Counsel holding
for Shri P.B.Patil, learned Counsel for the applicant
and Smt. Deepali Deshpande, learned Presenting
Officer for the respondent authorities, are present.

2. Learned Counsel for the applicant has sought
some time to work out the matter. Time is granted.
3. List the matter on 21-03-2023.

VICE CHAIRMAN

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

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri K.N.Shermale, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent nos.1 to 3. Same is taken on record. Copy be given to the other side.

3. List the matter for hearing on 27-04-2023. In the meanwhile, it will be open for the applicant to file affidavit in reply if he so desires.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.624/2022 & 625/2022
(Dhananjay Mahajan & Anr. Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicants and Smt. Deepali Deshpande and Shri B.S.Deokar, learned Presenting Officers for the respondent authorities, are present.

2. Learned Counsel for the applicants has sought a short accommodation. Granted.

3. List the matter on 16-03-2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

**ORIGINAL APPLICATION NO.993/2022
(Dattatray Kakde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri Shrikant Kawade, learned Counsel for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent nos.1 to 4. Same is taken on record. Copy be given to other side.

3. List the matter for hearing on 27-04-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.1144/2022
(Ritesh Kamble Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri Ramesh Wakade, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has submitted the affidavit in reply on behalf of respondents. Same is taken on record. Copy is given to other side.

3. List the matter for hearing on 25-04-2023. In the meanwhile, the applicant if so desires may file rejoinder.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.923/2022
(Subhash Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Ms. Gunpriya Ubale, learned Counsel holding for Shri D.R.Jayabhar, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Apparently, the O.A. cannot be entertained since there is nothing on record to show that the alternate efficacious remedy which is available to the applicant has been exhausted by the applicant. Learned Counsel for the applicant seeks time to make submissions whether any representation is made by the applicant and the same is not decided.

3. S.O. to 14-03-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.1083/2019
(Ambadas Deshpande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri Sudhir Telgote, learned Counsel for the applicant is **absent**. Smt. Deepali Deshpande, learned Presenting Officer for the respondent authorities is present.

2. In the present matter on the previous date i.e. on 31-01-2023, Counsel for the applicant was absent. Previous to that, on 30-11-2022 also none caused appearance for the applicant. The dates previous to that, i.e. 20-10-2022 and 15-09-2022 also none has caused appearance for the applicant. It appears that the applicant has lost interest in prosecuting the matter further. Hence, the following order:

ORDER

O.A. is dismissed for want of prosecution.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.630/2021
(Babasaheb Dahifale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 10-03-2023

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. On request of learned Counsel as well as the learned P.O., S.O. to 31-03-2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

**ORIGINAL APPLICATION NO.302/2020, 317/2020 &
05/2021
(Rajesh Choudhary & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri I.D.Maniyar, learned Counsel for the applicants and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 23-03-2023. **High on Board.**

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

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

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri J.S.Deshmukh, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought leave to file affidavit in reply on behalf of respondent nos.1 to 3. Learned Counsel has consented for it. Hence, the same is taken on record. Copy is given to the other side.

3. List the matter for hearing on 27-04-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.406/2022
(Pandit Pawar & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri S.S.Tandale, learned Counsel holding for Shri B.R.Kedar, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Counsel has sought leave to submit on record report of DPC. Leave granted. Document is taken on record.

3. S.O. to 03-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

ORIGINAL APPLICATION NO.611/2022
(Sultana Begum Shaikh Gafoor Vs. State of Maharashtra &
Ors.)

CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman

DATE : 10-03-2023

ORAL ORDER :

Shri S.B.Solanke, learned Counsel for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has filed affidavit in reply on behalf of respondent nos.2 and 3. It is taken on record. Copy thereof is given to other side.

3. S.O. to 27-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

**ORIGINAL APPLICATION NO.835/2021
(Vadilal Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri S.B.Solanke, learned Counsel for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities and Shri S.B.Mene, learned Counsel for respondent nos.3 and 4, are present.

2. At the request of learned Counsel for the applicant, S.O. to 17-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

**ORIGINAL APPLICATION NO.653/2022
(Mankha Gulab Tadvi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri Manoj U. Shelke, learned Counsel for the applicant is **absent**. Shri B.S.Deokar, learned Presenting Officer for the respondent authorities is present.

2. In view of absence of learned Counsel for the applicant, S.O. to 28-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

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

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Heard Shri Swaraj Tandale, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities.

2. Arguments of both sides are heard. List the matter for making query, if any, or else for passing order on 21-03-2023.

3. S.O. to 21-03-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

**ORIGINAL APPLICATION NO.17/2022
(Baburao Kamble Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

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

2. Learned P.O. has sought leave to file affidavit in reply on behalf of respondent nos.1 and 2. Learned Counsel for the applicant has not objected for accepting the reply. In the circumstances, reply is accepted. Copy be given to other side.

3. List the matter for hearing on 03-04-2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO.596/2022
(Kantabai Phad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri Manoj U. Shelke, learned Counsel for the applicant is **absent**. Shri M.P.Gude, learned Presenting Officer for the respondent authorities is present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent nos.3 & 4. Same is taken on record. Learned P.O. undertakes to provide copy of the reply to the other side.

3. S.O. to 12-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023

**ORIGINAL APPLICATION NO.987/2022
(Fatema Beg & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 10-03-2023

ORAL ORDER :

Shri T.K.Rathod, learned Counsel for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered affidavit in reply on behalf of respondent nos.1 to 4. Same is taken on record. Copy be given to the other side.

3. S.O. to 11-04-2023.

VICE CHAIRMAN

YUK ORAL ORDER 10.03.2023