M.A.NO.326/2022 IN O.A.ST.NO.1306/2022 (Dnyaneshwar Jadhav & Ors. V/s. State of Maharashtra & Ors.)

 OFFICE ORDER
 TRIBUNAL'S ORDERS

 <u>CORAM</u>:
 Hon'ble Justice Shri P.R. Bora,

- Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **<u>DATE</u>** : 10-08-2022

ORAL ORDER :

Heard Shri V.B.Wagh, learned Counsel for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. M.A.No.326/2022 is 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 applicants have prayed for same relief, and to avoid the multiplicity of litigation, leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

MEMBER (A) VICE CHAIRMAN YUK (!) ORAL ORDERS 10-08-2022

M.A.NO.327/2022 IN O.A.ST.NO.1308/2022 (Gajanan Chaudhari & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman

- Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- <u>DATE</u> : 10-08-2022

ORAL ORDER :

Heard Shri V.G.Pingle, learned Counsel for the applicants and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. M.A.No.327/2022 is 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 applicants have prayed for same relief, and to avoid the multiplicity of litigation, leave to sue jointly is granted, subject to payment of court fee stamps, if not paid.

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

MEMBER (A) VICE CHAIRMAN YUK (!) ORAL ORDERS 10-08-2022

O.A.ST.NO.1306/2022 & O.A.ST.NO.1308/2022 (Dnyaneshwar B. Jadhav & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND

Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10-08-2022

ORAL ORDER :

Heard Shri V.B.Wagh, learned Counsel for the applicants in O.A.ST.1306/2022, Shri V.G.Pingle, learned Counsel for the applicants in O.A.ST.1308/2022 and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. Since the common issues are raised in both these O.As., we have heard both the matters together and we deem it appropriate to pass common order in both the O.As.

3. Learned Counsel submitted that the applicants are seeking quashment of the show cause notice issued against them. In one matter, the show cause notice is issued on 05-08-2022 whereas in another matter it is issued on 04-08-2022. According to the learned Counsel, applicants are not party to the O.A. filed before this Tribunal and no show cause notice could have been issued against them. Learned Counsel have prayed for interim relief alleging that time to submit the reply to the show cause notices is too short. It is brought to our notice by the learned Counsel that in the matter filed by the similarly situated candidates before the Principal Bench of the Tribunal interim orders have been passed. Copies of which have been placed on record. Applicants have prayed for interim relief in their respective O.As.

4. Learned CPO submitted that for want of instructions it may not be possible for him to make any statement.

5. *Prima facie*, we are also of the opinion that time as has been provided for replying the show cause notices is too short and the same needs to be extended. After having considered the submissions and more particularly having regard to the interim order passed by the Principal Bench of the Tribunal at Mumbai, we deem it appropriate to adopt the same course and pass the following order:

(i) Issue notice to respondents, returnable on 12-09-2022.

(ii) Time to file reply to the show cause notices is extended up to 25-08-2022. Respondents are directed not to pass any adverse or coercive orders till that date against the applicants.

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

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

(v) 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.

(vi) 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.

(vii) S.O. to 12-09-2022.

(viii) Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.603/2021 (Sunil Dongre & Ors. V/s. State of Maharashtra & Ors.)

 OFFICE ORDER
 TRIBUNAL'S ORDERS

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

 DATE :
 10-08-2022

 ORAL ORDER :

Heard Shri A.V.Thombre, learned Counsel for the applicants and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents.

2. Present applicants had applied for the post of Statistical Investigator in pursuance of the advertisement published on 21-02-2019 by respondent no.3. Total 64 posts of Statistical Investigator were advertised. The educational qualification which was prescribed for the said post is graduate i.e. B.Sc. with Maths & Statistics or B.Com. with Statistics or BA Economics & Statistics of a recognized University. It is the contention of the applicants that they all are holding qualification as prescribed in the said advertisement. The applicant no.1 had applied from the SC Part Time category. Applicant no.2 had applied

from General (Handicapped) category. Applicant no.3 had applied from ST Female category and applicant no.4 had applied from Open Ex-Serviceman category. The applicants underwent selection process and passed the said examination. When they appeared before the competent authority for document verification, they were orally informed that they are not holding the requisite qualification as prescribed in the advertisement. As such, for the said reason, appointment orders are not issued in their favour.

=2=

3. After the applicants were orally informed as above, they preferred a representation on 22-04-2021 to the Director of Health Services, Pune mentioning therein that they all are holding the adequate qualification. Applicants also thereafter submitted one more detailed application on 26-04-2021. It is the case of the applicants that representations made by the applicants were not properly considered and the same reason was communicated to the applicants for not considering their candidature for the advertised the circumstances, applicants have posts. In approached this Tribunal by filing the present O.A.

4. Learned Counsel for applicants invited our attention to the advertisement published by respondent no.3, and more particularly, to the clause of educational qualification and experience. The qualification educational as prescribed the in advertisement is graduate i.e. B.Sc. with Maths & Statistics or B.Com. with Statistics or BA Economics & Statistics of a recognized University. The learned Counsel thereafter brought to our notice the degree certificates of each of the applicants securing the B.Com. degree. It is further pointed out that each of the applicants is having subject of Statistics in either first or second year of B.Com. According to the learned Counsel that was the adequate qualification as prescribed in advertisement. Learned Counsel further submitted that the Universities from which the applicants have obtained the degrees of B.Com. are all statutory recognized universities i.e. Sant Gadge Baba Amravati University, University of Pune, Savitribai University Shivaji University Phule Pune and Kolhapur, respectively.

=3=

5. Learned Counsel thereafter brought to our notice the Gazette of India dated 21-04-2008 wherein the rules called as Subordinate Statistical Service (Group C) (Amendment) Rules, 2008 are published. Learned Counsel submitted that these rules are applicable and governing the services of the post of Statistical Investigator appointed in the State also. Our attention was attracted to the Educational Qualification prescribed in the said Rules, and more particularly, to the last portion which reads as under:

"Bachelor's Degree with Commerce (with Statistics as a paper in one year or two years or all the three years as the case may be) as one of the main subjects (Subject Statistics means any branch of Statistics, applied or otherwise)."

6. In view of above, it is the contention of the applicants that though they hold prescribed educational qualification, their candidature has been wrongly kept out of consideration. The applicants have therefore prayed for the following relief (paper book page 12-13):

=4=

"B] This Hon'ble Tribunal may be pleased to hold and declare that, the applicants are qualified and eligible to be appointed on the posts of Statistical Investigator as per the educational qualification mentioned in the advertisement and further be pleased to direct the respondent authorities more particularly, the respondent no.3 to issue an appointment orders in favour the of the of Statistical applicants on posts Investigator from their respective categories and for that purpose issue necessary orders."

=5=

7. raised The contentions on behalf of the applicants and prayer made in the application are resisted by the respondents. Affidavit in reply has been filed on behalf of respondent nos.1 and 2. Learned P.O. reiterated the contentions raised in the said reply and particularly referring to paragraph 10 of the affidavit in reply submitted that since the applicants were not holding the requisite qualification, they have not been considered for appointment. Learned P.O. pointed out that the applicants had the subject of Statistics only for a single year and hence were not satisfying the educational qualification as per the advertisement. Learned P.O., therefore, submitted

that the applicants were rightly not considered for their appointment on the subject posts.

=6=

8. After considered submissions having the advanced by the learned Counsel for applicants and the learned P.O. for respondents and after having gone through the documents on record, prima facie, we are convinced that the applicants were holding the qualification as B.Com. with one subject as Statistics. The qualification as has been prescribed in the rules published in the Gazette of India to which we have referred hereinabove, do not prescribe that while obtaining degree of B.Com., Statistics must be the subject in every year, on the contrary, it specifies that it may be in one year, two years or three years. There is no mandate that in all the three years Statistics must be a subject for graduation degree. From the advertisement, it cannot be concretely gathered whether such degree course is available or not.

9. During the course of arguments, query was made to the learned P.O. to inform whether each of the candidates who have been selected for the said posts

is holding degree of B.Com. with Statistics or graduation with Statistics as one subject in all the three years, and whether such degree course is available in the statutory universities. Learned P.O. could not provide such information.

=7=

10. After having gone through the documents, educational qualification prescribed in the advertisement and the rules published in the Gazette of India, it appears to us that the respondents must have considered the candidature of the present applicants for appointment to the post of Statistical Investigator. We, therefore, direct the respondent authorities to reconsider the qualification of the present applicants in light of the observations made by us in the present order as well as the averments made in the O.A. and the documents filed on record.

11. We are informed that still there are 12 posts vacant which include the posts which are reserved by way of social and special reservation, the categories from which applicants have applied. If the present applicants are found to be qualified by the competent authority, all of them can be accommodated in the aforesaid vacant seats. In the circumstances, the following order is passed:

=8=

(i) The respondent authorities shall reconsider the qualifications of the present applicants having regard to the observations made by us in the present order as well as considering the averments made in the O.A. and the documents annexed to the said O.A.

(ii) The competent authority shall examine the qualification held by the present applicants and compare it with qualification held by the candidates already selected and if it is found that the applicants are holding equal qualification, issue appointment orders in their favour.

(iii) The aforesaid exercise be carried out by the respondent no.3 within the period of 6 weeks from the date of this order.

(iv) With the observations as above, O.A. stands disposed of with no order as to costs.

MEMBER (A) VICE CHAIRMAN YUK (!) ORAL ORDERS 10-08-2022

M.A.NO.70/2021 IN M.A.NO.112/2020 IN O.A.NO.1086/2019 (Chintaman Vasave V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM :	Hon'ble Justice Shri P.R. Bora,
	Vice Chairman
	AND
	Hon'ble Shri Bijay Kumar, Member (A)
DATE :	10-08-2022
ORAL ORI	DER :

Shri Ajay Deshpande, learned Counsel for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities and Shri Kakasaheb B. Jadhav, learned Counsel for respondent no.3, are present.

2. Present M.A.No.112/2020 is filed seeking condonation of delay which has occasioned in filing the O.A. by the applicant. We have gone through the contents of the M.A. and we are satisfied that the reasons which have been assigned for occurrence of delay are just and proper to condone the delay.

3. Learned P.O. fairly submitted to pass appropriate order in the matter. However, learned Counsel for respondent no.3 has objected for condoning the delay.

4. It does not appear to us that the delay caused in filing the O.A. is deliberate or with mala fides. In the circumstances, we are inclined to allow the present M.A. Delay caused in filing the O.A. is hereby condoned. O.A. be registered and numbered in accordance with law as per rules.

MEMBER (A) YUK (!) ORAL ORDERS 10-08-2022 VICE CHAIRMAN

M.A.NO.70/2021 IN O.A.NO.1086/2019 (Chintaman Vasave V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> :	Hon'ble Justice Shri P.R. Bora,
	Vice Chairman
	AND
	Hon'ble Shri Bijay Kumar, Member (A)
DATE :	10-08-2022
ORAL ORI	DER :

Shri Ajay Deshpande, learned Counsel for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities and Shri Kakasaheb B. Jadhav, learned Counsel for respondent no.3, are present.

Present 2. M.A.No.70/2021 is filed seeking amendment in the O.A. Learned Counsel for the applicant submitted that when the O.A. was filed, representation submitted by the present applicant to the respondent authorities was not decided till then. Learned Counsel submitted that same came to be decided during the pendency of the present O.A. Learned Counsel submits that the representation has been rejected by the respondent authorities. The events as aforesaid which had occurred during the pendency of the present O.A. are sought to be brought on record by amendment and consequential prayers are also sought to be added.

3. Learned P.O. fairly submitted to pass appropriate order in the matter. However, learned Counsel for respondent no.3 has opposed for allowing amendment.

=2= M.A.NO.70/2021 IN O.A.NO.1086/2019

4. As subsequent events are intended to be brought on record with consequential prayers, case is made out for allowing the M.A. Necessary amendment be carried out within 2 weeks. It would be open for the respondents to file reply to the amended portion, if they so desire on or before the next date. M.A.No.70/2021 stands disposed of accordingly with no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1086/2019 (Chintaman Vasave V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 10-08-2022 <u>ORAL ORDER</u>:

Shri Ajay Deshpande, learned Counsel for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities and Shri Kakasaheb B. Jadhav, learned Counsel for respondent no.3, are present.

2. S.O. to 15-09-2022.

MEMBER (A)

VICE CHAIRMAN

REVIEW APPLICATION NO.02/2022 IN T.A.NO.09/2021 IN W.P.NO.2006/2019 (Survakant Pathak & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 10-08-2022 <u>ORAL ORDER</u>:

Heard Shri D.R.Irale Patil, learned Counsel for the applicants, Shri M.S.Mahajan, learned Chief Presenting Officer and Shri S.B.Mene, learned Special Counsel for the respondents.

2. Learned Counsel for the applicants submits that while passing the order dated 17-02-2022, this Tribunal has failed in appreciating the import of the judgment delivered by the Hon'ble Bombay High Court in Writ Petition No.2605/2017. According to the learned Counsel, this is an apparent error on the face of record requiring review of the order earlier passed. Learned Counsel in his elaborate arguments sought to bring to the notice of this Tribunal the mistakes according to him or incorrect appreciation of the judgment delivered by the Division Bench of the Hon'ble Bombay High Court by this Tribunal. 3. After having heard the learned Counsel, it appears to us that if this is the grievance of the applicants that this Tribunal has failed in proper appreciation of the judgment delivered by the Hon'ble Bombay High Court, the remedy for the petitioners will be to challenge the present decision before the appropriate forum and that cannot be treated as apparent error on the face of record, more particularly, when the said judgment is distinguished by the We humbly state that as argued by the Tribunal. learned Counsel there may be some error by the Tribunal in appreciating the judgment delivered by the Hon'ble High Court but review is not the remedy for the same and that cannot be said to be an error on the Hence, the review cannot be face of record. entertained.

4. In view of the above observations, review application stands rejected. There shall be no order as to costs.

MEMBER (A) VICE CHAIRMAN YUK (!) ORAL ORDERS 10-08-2022

C.P.NO.28/2020 IN O.A.NO.113/2012 (Bhagwat Kadam V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Heard Shri K.G.Salunke, learned Counsel for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. The present Contempt petition is filed alleging contempt of the order passed by this Tribunal on 04-07-2019 in O.A.No.113/2012. The relevant paragraph 8 of the order reads thus:

"8. In view of this, the Original Application is disposed of with a direction to the Respondent No.1 to place the proposal regarding grant of benefit of ACPS/ modified ACPS to the Applicant before the DPC within one month from today. On receiving the proposal, the DPC has to take decision within one month and communicate the decision to the Respondent No.1. On receiving the recommendation of the DPC, the Respondent No.1 has to take appropriate decision within month and inform the Applicant one accordingly in writing. No order as to costs."

3. In view of the order so passed, the proposal was forwarded by respondent no.1 to the Departmental Promotion Committee (DPC) for taking decision on the said proposal and DPC has rejected the said proposal. It is the contention of the learned Counsel for the applicant that the DPC has illegally refused the proposal forwarded by respondent no.1 that the reasons for which the DPC has rejected the said proposal are per se contrary to the provisions of law.

4. Whatever may the case, the contempt cannot be entertained in view of the fact that the DPC was directed to consider the proposal and DPC has accordingly considered the proposal. If the applicant has any grievance as about decision of the DPC, the contempt is not the remedy for the same.

5. In the circumstances, present Contempt petition stands disposed of. We need not to mention that the applicant is at liberty to avail alternate efficacious remedy, if he so desires.

MEMBER (A) V YUK (!) ORAL ORDERS 10-08-2022

VICE CHAIRMAN

C.P.NO.19/2021 IN O.A.NO.890/2018 (Shaikh Hajrabee Shaikh Dadamiya & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 10-08-2022 ORAL ORDER:

Heard Shri Kakasaheb B. Jadhav, learned Counsel for the applicants/petitioners and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

2. Present Contempt Petition has been filed alleging contempt of the order passed by this Tribunal on 16-02-2021 in M.A.No.35/2021 in O.A.No.890/2018. The executable order is in paragraph 6 of the said order, which is reproduced hereinbelow:

"6. In view of above, para nos. 7 & 8 of the order dated 23.1.2020 passed by this Tribunal in O.A. No. 890/2018 are hereby replaced & modified and the same be read as under :-

"7. In view of the above, it is just and proper to direct the respondent no. 1 the Government to decide the said proposals dated 11.8.2017 and 12.6.2019 sent by the respondent no. 3 within 4 weeks from today.

8. In view of above, O.A. is disposed of with a direction to the respondent no. 1 the Government to take appropriate decision as per rules on the proposals dated 11.8.2017 and 12.6.2019 forwarded by respondent no. 3 within 4 weeks from the date of this order and communicate the same to the applicant in writing. There shall be no order as to costs."

3. It is the allegation of the petitioners that the said order has not been properly complied with and proposal of the applicant has been rejected illegally. Learned Counsel sought to contend that the reasons stated by the respondents are factually incorrect and in fact the petitioners complied with the criteria required for grant of benefit.

4. We have gone through the order passed by the concerned authority. It has to be stated that the contempt petition has a short scope. If there is any grievance, remedy is elsewhere and not the contempt petition before the Tribunal. We are, therefore, not inclined to entertain the present Contempt Petition as the applicants have alternate efficacious remedy available to ventilate their grievance, if any.

5. We want to clarify that in the substantive O.A. or petition is filed by the applicants if it is noticed that the respondent authority at the relevant time wrongly interpreted the provisions of the order passed by the Tribunal, serious cognizance will be taken of the inaction or omission on the part of the said authority.

6. Contempt petition stands disposed of accordingly with no order as to costs.

VICE CHAIRMAN

C.P.NO.18/2022 IN O.A.NO.339/2019 (Dr. Kishor Ubale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 10-08-2022 <u>ORAL ORDER</u>:

Shri Saket Joshi, learned Counsel holding for Shri A.S.Deshmukh, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. Issue notice to respondents, returnable on 29-09-2022.

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

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

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

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

- 7. S.O. to 29-09-2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A) VICE CHAIRMAN YUK (!) ORAL ORDERS 10-08-2022

ORIGINAL APPLICATION NO.257/2020 (Sambhaji Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 10-08-2022 <u>ORAL ORDER</u>:

Shri J.V.Patil, learned Counsel for the applicant and

Shri M.S.Mahajan, learned Chief Presenting Officer for the

respondents, are present.

2. Issue notice to respondents, returnable on 30-09-2022.

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

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

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

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

- 7. S.O. to 30-09-2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.661/2022 (Dilip Taru V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
 - DATE : 10-08-2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Counsel for the applicant has filed **leave note** on record. Shri V.R.Bhumkar, learned Presenting Officer for the respondents is present.

2. In view of leave note of learned Counsel for the applicant, S.O. to 24-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.702/2022 (Nitin Hagare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)
10-08-2022
DER :

Heard Shri S.B.Solanke, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Counsel for the applicant submits that the present applicant had applied for the post of Multipurpose Health Worker from the category of Seasonal employee. Learned Counsel submits that the candidates who have worked for more than 90 days are provided 50% reservation in the said appointment. Learned Counsel further submits that the applicant is holding the required experience, however, for want of certain documents concerned authority did not certify that the applicant worked for 90 days. Therefore, the appointment is refused to the applicant. Learned Counsel further submits that in the re-verification it was noticed that the applicant was satisfying the prescribed qualification and the certificate came to be issued from the competent authority to the effect that the applicant has worked for more than 90 days. In the meanwhile, the posts are filled in as were advertised. Learned Counsel in the circumstances has prayed for granting interim relief to the effect that in

the meanwhile if any post becomes vacant then the candidature of the present applicant be considered on the said post. In view of the submissions so made, following order is passed:

=2=

<u>ORDER</u>

(i) Issue notice to respondents, returnable on 29-09-2022.

(ii) Respondents are directed not to fill the post, if any, falls vacant from the category of Seasonal employee, without prior permission of this Tribunal.

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

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

(v) 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.

(vi) 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.

(vii) S.O. to 29-09-2022.

(viii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.707/2022 (Jay B. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) <u>DATE</u>: 10-08-2022 <u>ORAL ORDER</u>:

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

2. Issue notice to respondents, returnable on 30-09-2022.

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

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

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

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

- 7. S.O. to 30-09-2022.
- 8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.190/2017 (Dattatray Zombade V/s. State of Maharashtra & Ors.)

 OFFICE ORDER
 TRIBUNAL'S ORDERS

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

 DATE :
 10-08-2022

 ORAL ORDER :
 ORAL ORDER :

Heard Shri A.S.Deshmukh, learned Counsel holding for Shri Shamsundar B. Patil, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents.

2. Learned Counsel for the applicant pointed out that in the present matter respondents have not filed any additional reply to the petition after the same has been amended by the applicant.

3. Since the matter is being now adjourned to 25-08-2022, in the meanwhile, respondents may file reply to the amended O.A., if they so desire.

4. S.O. to 25-08-2022.

MEMBER (A) YUK (!) ORAL ORDERS 10-08-2022 **VICE CHAIRMAN**

ORIGINAL APPLICATION NO.790/2018 (Vaishali Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri D.B.Thoke, learned Counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondents, are present.

2. At the request of learned Presenting Officer, S.O.

to 24-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.337/2019 (Namdev Londhe V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10-08-2022

ORAL ORDER :

Heard Shri R.S.Adate, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. Learned P.O. tenders across the bar written notes of arguments on behalf of the respondents. It is taken on record. Copy served on the other side. Written notes of arguments are already filed by the applicant.

3. Arguments of both sides are concluded. Reserved for order.

MEMBER (A)VICE CHAIRMANYUK (!) ORAL ORDERS 10-08-2022

REVIEW APPLICATION NO.04/2017 IN ORIGINAL APPLICATION NO.223/2014 (Kakasaheb Zalte V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A) DATE : 10-08-2022

ORAL ORDER :

Ms. Kanchan Saraf, learned Counsel holding for Mr. S.D.Joshi, learned Counsel for the applicant and Mr. B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. At the request of learned Counsel for the applicant, S.O. to 12-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.83/2017 (Sayeed Jarinabi Raisoddin & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
 - **DATE** : 10-08-2022

ORAL ORDER :

Shri H.A.Joshi, learned Counsel for the applicant

and Shri I.S.Thorat, learned Presenting Officer for the

respondents, are present.

2. S.O. to 17-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.387/2018 (Pramod Gite V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER:

Shri Saket Joshi, learned Counsel holding for Shri A.S.Deshmukh, learned Counsel for the applicant, Shri D.R.Patil, learned Presenting Officer for the respondent authorities and Shri A.V.Thombre, learned Counsel holding for Shri R.D.Khadap, learned Counsel for respondent no.5, are present.

2. S.O. to 06-09-2022.

MEMBER (A) YUK (!) ORAL ORDERS 10-08-2022 VICE CHAIRMAN

ORIGINAL APPLICATION NO.262/2019 (Vijay Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri R.P.Bhumkar, learned Counsel for the applicant is **absent**. Shri V.M.Chate, learned Counsel for respondent no.5 is **absent**.

Shri D.R.Patil, learned Presenting Officer for the respondent is present.

2. Learned P.O. has tendered across the bar the information as was sought by this Tribunal vide order passed on 22-07-2022. The information is submitted in tabular format and along with the said tabular format a short note in respect of recruitment process carried out in 2018. Both the documents are taken on record.

3. No one is present for the applicant as well as the respondent no.4. In the circumstances, the matter stands adjourned to 07-09-2022.

MEMBER (A) V YUK (!) ORAL ORDERS 10-08-2022

VICE CHAIRMAN

ORIGINAL APPLICATION NO.311/2019 (Rekha Manikhedkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri A.D.Patil, learned Counsel holding for Shri C.V.Dharurkar, learned Counsel for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents, are present.

2. Learned P.O. sought time to file sur-rejoinder. Time is granted.

3. S.O. to 26-09-2022.

MEMBER (A) VICE CHAIRMAN YUK (!) ORAL ORDERS 10-08-2022

ORIGINAL APPLICATION NO.554/2019 (Ashok Gade V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER TRIBUNAL'S ORDERS** _____

- CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- DATE : 10-08-2022

ORAL ORDER :

Shri Shamsundar B. Patil, learned Counsel holding for Shri S.B.Pawar, learned Counsel for the applicant, Shri D.R.Patil, learned Presenting Officer for the respondent authorities and Shri S.B.Mene, learned Counsel for respondent nos.2 and 3, are present.

2. S.O. to 19-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.1020/2019 (Deepak Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10-08-2022

ORAL ORDER :

Shri Ajay Deshpande, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. Learned P.O. submits that though affidavits in reply on behalf of respondent nos.2 and 3 are already filed, however, reply of the State will also be necessary. In the circumstances, time is sought to file affidavit in reply on behalf of respondent no.1. Time is granted as prayed for.

3. S.O. to 14-09-2022.

MEMBER (A) YUK (!) ORAL ORDERS 10-08-2022 VICE CHAIRMAN

VICE CH

ORIGINAL APPLICATION NO.39/2020, 477/2018, 982/2018 & 983/2018 (Anil B. Nikam & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

CORAM :Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)DATE :10-08-2022

ORAL ORDER:

Shri A.S.Deshmukh & Shri V.B.Wagh learned Counsel for the applicants in respective matters, Smt. M.S.Patni, learned Presenting Officer and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents in respective matters, are present.

2. S.O. to 30-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.62/2020 (Dr. Maheshkumar Mane V/s. State of Maharashtra & Ors.)

 OFFICE ORDER
 TRIBUNAL'S ORDERS

 <u>CORAM</u>:
 Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

 <u>DATE</u>:
 10-08-2022

ORAL ORDER :

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

2. Learned CPO submits that affidavit in reply is being filed in the present matter today itself. He also undertakes to serve copy of the reply on the other side.

3. He seeks some time to deposit amount of costs stating that the concerned order is not yet been uploaded. Hence the same cannot be communicated to the respondents. One week's time is granted to deposit costs.

4. S.O. to 18-08-2022.

MEMBER (A) VICE CHAIRMAN YUK (!) ORAL ORDERS 10-08-2022

ORIGINAL APPLICATION NO.271/2020 (Siddharth Kadam V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
 - DATE : 10-08-2022

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant

and Shri I.S.Thorat, learned Presenting Officer for the

respondents, are present.

2. S.O. to 20-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.385/2021 (Sachin Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
 - DATE : 10-08-2022

ORAL ORDER :

Shri V.G.Pingle, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 07-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.478/2021 (Syed Mujahed Syed Qutbuddin V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
 - **DATE** : 10-08-2022

ORAL ORDER :

Shri V.G.Pingle, learned Counsel for the applicant and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 07-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.88/2022 (Ravi Koar V/s. State of Maharashtra & Ors.)

 OFFICE ORDER
 TRIBUNAL'S ORDERS

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

 DATE :
 10-08-2022

 ORAL ORDER :
 ORAL ORDER :

Shri Ajay T. Kanwade, learned Counsel for the applicant, Shri D.R.Patil, learned Presenting Officer for the respondent authorities and Smt. Laxmi R. Thakur, learned Counsel for respondent no.5, are present.

2. Learned P.O. submits that affidavit in reply on behalf of respondent nos.2 and 4 will be filed during the course of the day and copy will be supplied to the other side.

3. S.O. to 20-09-2022.

MEMBER (A) YUK (!) ORAL ORDERS 10-08-2022

VICE CHAIRMAN

M.A.NO.271/2021 WITH M.A.NO.95/2021 IN O.A.NO.170/2021 (Shivkumar Chivde V/s. State of Maharashtra & Ors.)

 OFFICE ORDER
 TRIBUNAL'S ORDERS

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

 DATE :
 10-08-2022

ORAL ORDER :

Ku. Anagha Pandit, learned Counsel holding for Shri S.B.Talekar, learned Counsel for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent authorities and Shri Chetan Choudhary, learned Counsel holding for J.P.Legal for respondent nos.5 to 7, are present.

2. It is brought to our notice that there is one more matter akin to the present O.A. We direct the office to list both these matters together on the next date.

3. Learned P.O. submits that the contesting respondent MPSC has already filed the affidavit in reply and the reply of other respondents may not be necessary.

4. As such, list both the matters for hearing on 06-09-2022.

MEMBER (A)VICE CHAIRMANYUK (!) ORAL ORDERS 10-08-2022

M.A.NO.343/2021 IN O.A.NO.692/2017 (Bhanudas R. Watane V/s. State of Maharashtra & Ors.)

_____ **OFFICE ORDER TRIBUNAL'S ORDERS** _____

- CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- DATE : 10-08-2022

ORAL ORDER :

Shri V.G.Pingle, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. Due to paucity of time, this matter cannot be heard today. Hence, S.O. to 08-09-2022.

3. Interim relief granted earlier to continue till then.

YUK (!) ORAL ORDERS 10-08-2022

MEMBER (A)

VICE CHAIRMAN

O.A.NO.261/2022 WITH M.A.NO.257/2022 IN O.A.NO.447/2022 (Dr. Pratap Shinde & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri R.R.Kale, learned Counsel for the applicants

in M.A. is **absent**.

Shri S.G.Chapalgaonkar, learned Counse for the applicants in O.A. and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. S.O. to 24-08-2022.

MEMBER (A) VICE CHAIRMAN YUK (!) ORAL ORDERS 10-08-2022

ORIGINAL APPLICATION NO.575/2016 (Aniket Mundhe V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri Amit S. Savale, learned Counsel for respondent no.4, are present.

2. S.O. to 29-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.139/2017 (Shaikh Liyakat Shaikh Dildar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
 - **DATE** : 10-08-2022

ORAL ORDER :

Shri V.P.Golewar, learned Counsel for the applicant is **absent**. Shri D.R.Patil, learned Presenting Officer for the respondents is present.

2. S.O. to 21-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.661/2017 (Shailendra Kapse V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri A.G.Ambetkar, learned Counsel for the applicant is **absent**. Shri D.R.Patil, learned Presenting Officer for the respondents is present.

2. S.O. to 22-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.189/2018 (Dhiraj Salve V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri Rahul O. Awsarmal, 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 no.4 to 8, are present.

2. S.O. to 12-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.205/2018 (Santosh Trimanwar V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Justice Shri P.R. Bora, Vice Chairman AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10-08-2022

ORAL ORDER :

Shri V.B.Wagh, learned Counsel for the applicant

and Shri B.S.Deokar, learned Presenting Officer for the

respondents, are present.

2. S.O. to 23-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.517/2018 & 47/2019 (Pooja Pansare & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri Sandeep Munde, learned Counsel for the applicants in both matters, Shri V.R.Bhumkar, learned Presenting Officer & Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri A.S.Deshmukh, learned Counsel for respondent nos.4 to 7 in O.A.No.517/18 and Shri S.C.Arora, learned Counsel for respondent no.4 in O.A.No.47/2019, are present.

2. S.O. to 23-09-2022.

MEMBER (A)VICE CHAIRMANYUK (!) ORAL ORDERS 10-08-2022

ORIGINAL APPLICATION NO.874/2018 (Shashikant Yadav V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri A.M.Nagarkar, learned Counsel for the applicant and Shri D.R.Patil, learned Presenting Officer for the respondents, are present.

2. S.O. to 26-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.887/2018 (Dr. Sumant Wagh V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

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. S.O. to 25-08-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.124/2019, 125/2019, 126/2019, 127/2019 (Arun Gosawi & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10-08-2022

ORAL ORDER :

Shri D.K.Dagadkhair, learned Counsel for the applicants and Smt. Sanjivani Ghate, learned Presenting Officer for the respondents, are present.

2. S.O. to 14-11-2022.

MEMBER (A)

VICE CHAIRMAN

M.A.NO.498/2019 IN O.A.ST.NO.1959/2019 (Ramrao Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

- <u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)
- **DATE** : 10-08-2022

ORAL ORDER :

Shri V.G.Pingle, learned Counsel for the applicant and Shri S.K.Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 27-09-2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 86 OF 2020 (Dr. Vaibhav B. Kshirsagar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 10.08.2022. ORAL ORDER:

Shri H.P. Bondar, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Record shows that nobody is appearing on behalf of the applicant since last two dates i.e. on 11.02.2022 and 21.04.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the O.A. stands dismissed in default.

MEMBER (J)

ORIGINAL APPLICATION NO. 701 OF 2021 (Raosaheb A. Pallewad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM :Hon'ble Shri V.D. Dongre, Member (J)DATE :10.08.2022.ORAL ORDER :

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

2. Learned Advocate for the applicant seeks permission to join Shri A.R. Bijule as party respondent No. 5, as his name is referred to in the body of the Original Application. Considering the facts on record, the said Shri A.R. Bijule would be the proper party.

3. In view of above, permission is granted. The applicant shall carry out the necessary amendment in O.A. forthwith.

4. Issue notices to the respondents, returnable on 12.09.2022.

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 12.09.2022.
- 9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 704 OF 2022 (Prakash S. Aghav Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 07.09.2022.

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 07.09.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 713 OF 2022 (Gorakh D. Pathade V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

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

2. Issue notices to the respondents, returnable on 12.09.2022.

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 12.09.2022.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 874 OF 2019 (Sahedabegum Shaikh Younus V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri M.B. Humane, learned Advocate holding for Shri Sanjay Kolhare, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted as one more last chance for filing affidavit in reply on behalf of respondent Nos. 1 & 3, failing which the matter will proceed further in accordance with law.

3. S.O. to 30.08.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 457 OF 2021 (Sahil A. Kankal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Smt. Maya Jamdhade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to Transfer. Hence, the O.A. is admitted and it be fixed for hearing at the stage of admission on 06.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 458 OF 2021 (Mahendra K. Yangade V/s. State of Maharashtra & Ors.)

_____ _____

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

Heard Smt. Maya Jamdhade, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to Transfer. Hence, the O.A. is admitted and it be fixed for hearing at the stage of admission on 06.09.2022.

KPB ORAL ORDERS 10.08.2022

MEMBER (J)

ORIGINAL APPLICATION NO. 610 OF 2021 (Madhukar K. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 10.08.2022. ORAL ORDER:

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that the present matter was proceeded further in accordance with law without affidavit in reply of the respondents. However, today he filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 30.08.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

M.A. No. 88/2021 in O.A. St. No. 323/2021 (Shrikant K. Bhale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 06.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 85 OF 2019 (Mahadeo P. Ghuge V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during the course of the day rejoinder affidavit would be filed.

S.O. to 06.09.2022 for admission. 3.

MEMBER (J)

ORIGINAL APPLICATION NO. 1045 OF 2019 (Sunil P. Pathirkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

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

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

3. S.O. to 12.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 77 OF 2020 (Mahesh S. Khedkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri C.T. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply to the amended O.A.

3. S.O. to 26.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 98 OF 2020 with Caveat No. 78/2019 (Bhavana R. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent No. 1 and Shri Manish Bhambre, learned Advocate for respondent No. 2 / caveator.

2. Learned Advocate for respondent No. 2 / caveator filed affidavit in reply. Same is taken on record and copy thereof has been served on the other sides.

3. Learned Presenting Officer submits that during the course of the day affidavit in reply on behalf of respondent No. 1 would be filed.

4. S.O. to 24.08.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 112 OF 2022 (Bharat D. Raut V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 10.08.2022. ORAL ORDER:

Heard Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4.

2. Learned Advocate for the applicant submits that during the course of the day she will file service affidavit of respondent No. 5.

3. Learned Advocate Shri Dhairyashil, is appearing on behalf of respondent No. 5 and seeks time for filing **VAKALATNAMA** and affidavit in reply on behalf of respondent No. 5. Time granted.

4. Learned C.P.O. filed additional affidavit in reply on behalf of respondent Nos. 2 and 3. Same is taken on record and copy thereof has been served on the other sides.

5. S.O. to 17.08.2022 for filing of affidavit in reply of respondent No. 5.

MEMBER (J)

O.A. Nos. 1015/2019, 1016/2019, 1017/2019 & 1019/2019 (Sakharam P. Ranbavle & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants in all these O.As. and Shri D.R. Patil, learned Presenting Officer for the respondents in all these O.As.

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

3. At the request of learned Presenting Officer, S.O. to 24.08.2022.

KPB ORAL ORDERS 10.08.2022

ORIGINAL APPLICATION NO. 89 OF 2018 (Sayeda Khalida Md. Naeem V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri Shritej Surve, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri S.R. Pande, learned Advocate for respondent No. 3.

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

3. Learned Advocate for the applicant filed rejoinder affidavit to the additional affidavit filed on behalf of respondent No. 3. Same is taken on record and copy thereof has been served on the other side.

4. S.O. to 24.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 04 OF 2020 (Chhaya S. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. The present matter is closed for orders.

KPB ORAL ORDERS 10.08.2022

O.A. Nos. 599, 600, 601, 602, 603, 604, 605, 606, 738, 915 all of 2018 and O.A. No. 116/2019 (Vilas R. Mahajan & Ors. Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri G.L. Gujar, learned Advocate holding for Shri A.S. Sawant, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As.

2. At the request of learned Advocate for the applicants, S.O. to 14.09.2022 for final hearing.

KPB ORAL ORDERS 10.08.2022

M.A. No. 399/2021 in O.A.St. No. 1725/2021 (Sunanda B. Maske & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 30.08.2022.

MEMBER (J)

O.A. Nos. 394/2021 with O.A. No. 597/2021 (Rekha R. Mohite & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri Avinash Deshmukh, learned Advocate for the applicants in both the O.As. and Smt. M.S. Patni, learned Presenting Officer for the respondents in both the O.As.

2. The present matters are closed for orders.

MEMBER (J)

ORIGINAL APPLICATION NO. 248 OF 2022 (Mogra G. Thakre V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent No. 1. Shri Amit Savale, learned Advocate for respondent No. 2, **absent**.

2. Record shows that affidavit in reply is filed only on behalf of respondent No. 1. Record further shows that in spite of grant of opportunities, the affidavit in reply is not filed by the respondent No. 2. Hence, the present matter will proceed further without affidavit in reply of respondent No. 2 in accordance with law.

3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

4. Pleadings are complete. The present matte is pertaining to Police Patil. Hence, the O.A. is admitted and it be kept for final hearing on 14.09.2022.

ORAL ORDERS 10.08 2022

MEMBER (J)

ORIGINAL APPLICATION NO. 536 OF 2021 (Dnyaneshwar S. Andhale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 10.08.2022. ORAL ORDER:

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

2. Learned Presenting Officer submits that as per the directions issued by this Tribunal vide order dated 27.07.2022, she is placing on record a copy of communication dated 08.08.2022 received to the C.P.O. office along with a copy of letter dated 08.08.2022 regarding present vacancy position of the post of Inspector in the concerned office at Sangli and there are three vacant posts of Inspector. Copies of the said documents are taken on record as last annexure to the affidavit in reply filed on behalf of respondents at page Nos. 66(A) & 66(B).

3. The present matter is closed for orders.

MEMBER (J)

ORIGINAL APPLICATION NO. 799 OF 2016 (Bhura R. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

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

- 2. The present matter is to be treated as part heard.
- 3. By consent of both the sides, S.O. to 23.08.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 323 OF 2019 (Jairam V. Mitke V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

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

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

3. S.O. to 06.09.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 327 OF 2022 (Muzaffar Abdul Sayeed Shaikh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

Shri M.R. Kulkarni, learned Advocate for the applicant (**Leave Note**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 08.09.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 402 OF 2022 (Maroti C. Panchal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant filed rejoinder affidavit to the affidavit in reply filed on behalf of respondent Nos. 1, 2 & 6. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 30.08.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 425 OF 2022 (Ramdas H. Lohakare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 26.08.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 502 OF 2017 (Public Prosecutors' Association V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 12.09.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 484 OF 2022 (Jayendra P. Ahire V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri S.U. Chaudhari, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Chief Presenting Officer filed affidavit in reply on behalf of respondent No. 1. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 29.08.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 503 OF 2022 (Kailas R. Walekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 06.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 514 OF 2022 (Madhukar S. Dudhgaonkar V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

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

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 06.09.2022 for taking necessary steps.

KPB ORAL ORDERS 10.08.2022

ORIGINAL APPLICATION NO. 634 OF 2022 (Somnath R. Baviskar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

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

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicant, S.O. to 07.09.2022 for taking necessary steps.

KPB ORAL ORDERS 10.08.2022

ORIGINAL APPLICATION NO. 658 OF 2022 (Satish S. Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

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

2. Learned Advocate for the applicant submits that during the course of the day he will file service affidavit.

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondents.

4. S.O. to 07.09.2022.

KPB ORAL ORDERS 10.08.2022

ORIGINAL APPLICATION NO. 68 OF 2021 (Sarjerao S. Jagdhane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

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

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

3. S.O. to 12.09.2022.

MEMBER (J)

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

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

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

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

S.O. to 08.09.2022. 3.

MEMBER (J)

ORIGINAL APPLICATION NO. 291 OF 2021 (Dattatrya M. More V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri S.N. Survawanshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. S.O. to 14.09.2022. Interim relief granted earlier to continue till then.

KPB ORAL ORDERS 10.08.2022

ORIGINAL APPLICATION NO. 495 OF 2021 (Vaibhav D. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Shri B.S. Shinde, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 26.08.2022 as one more last chance for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 615 OF 2021 (Dr. Godavari M. Vaidya V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

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

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

3. S.O. to 07.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 772 OF 2021 (Prakash J. Salve & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) DATE : 10.08.2022.

ORAL ORDER :

Heard Smt. S.M. Nimbalkar, learned Advocate holding for Smt. Neha Kamble, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 07.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 830 OF 2021 (Sanjay V. Pardikar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 3.

3. S.O. to 08.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 06 OF 2022 (Ramesh N. Shahane V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

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

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

3. S.O. to 13.09.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 46 OF 2022 (Adinath A. Nagargoje V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 4. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 07.09.2022 for filing rejoinder affidavit, if any.

KPB ORAL ORDERS 10.08.2022

ORIGINAL APPLICATION NO. 159 OF 2022 (Sanjay R. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri Akshay Kulkarni, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. It is burden upon the applicant to produce on record necessary documents, if required for deciding the O.A.

4. S.O. to 26.08.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 160 OF 2022 (Anant A. Kendrekar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) DATE : 10.08.2022.

ORAL ORDER :

Heard Shri Akshay Kulkarni, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

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

3. It is burden upon the applicant to produce on record necessary documents, if required for deciding the O.A.

4. S.O. to 26.08.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 306 OF 2021 (Suwarna S. Bedre V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 08.09.2022 for final hearing.

MEMBER (J)

M.A.No. 588/2019 in O.A. St. No. 2292/2019 (Vyankat L. Nilawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER _____

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri V.S. Kadam, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, time is granted as one more last chance for filing rejoinder affidavit in M.A., if any.

S.O. to 07.09.2022. 3.

MEMBER (J)

M.A. No. 135/2020 in O.A. St. No. 336/2020 (Khurshid Begum Mohd. Moosa V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri A.G. Dalal, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

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

3. S.O. to 24.08.2022.

MEMBER (J)

M.A. No. 421/2021 in O.A.St. No. 1707/2021 (Saurabh J. Tribhuvan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

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

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

3. S.O. to 26.08.2022.

MEMBER (J)

M.A. No. 188/2022 in O.A. No. 480/2019 (Ashok G. Puri V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

DATE : 10.08.2022.

ORAL ORDER :

Smt. Suchita Dhongde, learned Advocate for the applicant (**Leave Note**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Await service of notice on the respondent No. 3

3. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1, 2 & 4 to 6 in M.A.

4. S.O. to 06.09.2022 for taking necessary steps.

MEMBER (J)

M.A. No. 304/2022 in O.A.St. No. 1027/2022 (Ravikiran R. Ahire & Anr. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri S.G. Chapalgaonkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Await service of notice on the respondents.

3. At the request of learned Advocate for the applicants, S.O. to 29.08.2022 for taking necessary steps.

KPB ORAL ORDERS 10.08.2022

O.A. Nos. 457, 458 & 462 ALL OF 2020 (Samba H. Sarpate & Ors. Vs. State of Maharashtra & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u>: 10.08.2022.

ORAL ORDER :

Heard Shri P.R. Randhave, learned Advocate holding for Shri P.D. Jarare, learned Advocate for the applicants in all these O.As. and Shri S.K. Shirse, learned Presenting Officer for the respondent No. 1, 3 & 4 in all these O.As. Smt. Anuradha S. Mantri, learned Advocate for respondent No. 2 in all these O.As., **absent**.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 and 3 in all these O.As.

3. S.O. to 07.09.2022.

MEMBER (J)

C.P. No. 26/2020 in O.A. No. 772/2018 (Anil S. Barkul V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri K.D. Khade, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned C.P.O. has sought time for filing affidavit in reply. Time granted.

3. S.O. to 20.09.2022.

MEMBER (A)

VICE CHAIRMAN

O.A.No. 380/2019 with O.A. No. 886/2019 (Bhanudas E. Ugale & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri C.A. Shingare, learned Counsel for the applicants in both the O.As. (**Absent**). S/shri M.S. Mahajan & S.K. Shirse, learned Chief Presenting Officer and Presenting Officer for the respective respondents in respective O.As., are present.

2. S.O. to 20.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 448 OF 2019 (Anil T. Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri S.D. Kotkar, learned Counsel for the applicants (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. S.O. to 21.09.2022 for filing rejoinder affidavit.

MEMBER (A)

VICE CHAIRMAN

O.A. Nos. 631/2019, 677/2019 & 714/2019 (Anil S. Barkul V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri A.V. Thombre, learned Counsel holding for Shri R.D. Khadap, learned Counsel for the applicants in all these O.As. and Smt. M.S. Patni, learned Presenting Officer for the respondents in all these O.As., are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 4 in O.A. No. 677/2019 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 22.09.2022 for filing affidavit in reply in reset of the matters.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 511 OF 2019 (Sambhaji I. Bhandare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER:

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

2. At the request of learned Counsel for the applicant, S.O. to 23.09.2022 for filing rejoinder affidavit.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 639 OF 2019 (Ajit V. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Ms. Anagha Pandit, learned Counsel holding for Shri S.B. Talekar, learned Counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri A.D. Patil, learned Counsel holding for Shri C.V. Dharurkar, learned Counsel for respondent No. 3, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted as a last chance.

3. S.O. to 29.08.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 651 OF 2019 (Chandulal D. Ghule V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri P.N. Nagargoje, learned Counsel for the applicant. Shri M.P. Gude, learned Presenting Officer for the respondents, is present.

2. S.O. to 27.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 674 OF 2019 (Madhukar K. Brahmane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri A.M. Nagarkar, learned Counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. At the request of learned Counsel for the applicant, S.O. to 27.09.2022 for filing rejoinder affidavit.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 213 OF 2020 (Apurva S. Narale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

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

2. At the request of learned Counsel for the applicant, S.O. to 27.09.2022 for filing rejoinder affidavit.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 366 OF 2020 (Bharat L. Dhonde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri Amol Kokad, learned Counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present. Shri M.B. Ubale, learned counsel for respondent No. 3, **absent**.

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

3. S.O. to 23.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 383 OF 2020 (Sachin D. Maindale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri Shri R.S. Adate, learned Counsel holding for Shri O.Y. Kashid, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. S.O. to 28.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 438 OF 2020 (Anil P. Chavan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri S.M. Gaikwad, learned Counsel for the applicant (**Absent**). Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

2. S.O. to 28.09.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 499 OF 2020 (Dr. Gajanan P. Tarpe V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri S.G. Magre, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned C.P.O. has sought time for filing affidavit in reply. Time granted.

3. S.O. to 28.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 32 OF 2021 (Mukinda T. Bhalerao V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Ms. Preeti Wankhade, learned Counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents, are present.

2. At the request of learned Counsel for the applicant, S.O. to 29.09.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 447 OF 2021 (Malile A. Gangadhar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri A.D. Patil, learned Counsel holding for Shri C.V. Dharurkar, 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 29.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 606 OF 2021 (Tambe Surajkumar Govind V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri Zia Ul Mustafa / Taher Ali Quadri, learned Counsel for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, is present.

2. Learned C.P.O. has sought time for filing affidavit in reply. Time granted.

3. S.O. to 29.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 631 OF 2021 (Shamsunder K. Suryawanshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri Ashish Rajkar, learned Counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri V.C. Solshe, learned counsel for respondent Nos. 2 & 3, are present.

2. S.O. to 29.09.2022 for filing affidavit in reply.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 724 OF 2021 (Sunil S. Mate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri P.S. Gaikwad, learned Counsel for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri Rajdeep Banik, learned counsel holding for Shri Ganesh Kedar, learned Counsel for respondent No. 8, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 to 7 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 30.09.2022 for filing rejoinder affidavit, if any.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 831 OF 2021 (Anand B. Gayake V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri M.B. 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 as a last chance.

3. S.O. to 30.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 42 OF 2022 (Surendranath B. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri S.S. Kulkarni, learned Counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present. Shri S.D. Kotkar, learned counsel for respondent No. 17, **absent**.

2. Await service.

3. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the other side.

4. S.O. to 30.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 47 OF 2022 (Sanjay V. Sonawane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Smt. Kanchan Saraf, learned counsel holding for Shri S.D. Joshi, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned Counsel for the applicant has sought time for filing rejoinder affidavit, if any. Time granted.

3. S.O. to 30.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 64 OF 2022 (Bhimrao K. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri Avinash Deshmukh, learned Counsel for the applicant and Smt. Deepali S. Deshpande, 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 30.09.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 93 OF 2022 (Vidya S. Sudane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri Avinash Deshmukh, 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 sought time for filing affidavit in reply. Time granted.

3. S.O. to 06.10.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 169 OF 2022 (Nisar Kha Abdullatif Kha Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri S.N. Suryawanshi, learned Counsel for the applicant 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 06.10.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 195 OF 2022 (Yohan S. Sarode V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri P.G. Tambade, learned Counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. On request of learned PO last chance is granted to file reply. If the reply is not filed on or before the next date, the officer responsible for not filing reply shall be saddled personally with costs of Rs.5000/-

3. S.O. to 12.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 226 OF 2022 (Bhaskar V. Waghmare V/s. State of Maharashtra & Ors.)

OFFICE ORDER S ORDERS

TRIBUNAL'

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

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

3. S.O. to 06.10.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 243 OF 2022 (Ghansham D. Chavan & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri D.T. Devane, learned Counsel for the applicants and Smt. Deepali S. Deshpande, 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 27.09.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 519 OF 2022 (Dnyaneshwar B. Wadile V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri Ajinkya Mirajgaonkar, learned Counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

- 2. Await service.
- 3. S.O. to 07.10.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 521 OF 2022 (Shivling S. Kankare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri R.R. Bangar, learned Counsel holding for Shri I.D. Maniyar, learned Counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent No. 1 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 30.08.2022.

MEMBER (A)

VICE CHAIRMAN

M.A. No. 202/2020 in O.A. St. No. 443/2020 (Rama L. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

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

3. S.O. to 19.09.2022.

MEMBER (A)

VICE CHAIRMAN

M.A. No. 01/2021 in O.A. St. No. 1443/2020 (Ratnabai G. Gaikwad V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER:

Shri V.G. Pingle, learned Counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 19.09.2022.

MEMBER (A)

VICE CHAIRMAN

M.A. No. 67/2021 in O.A. St. No. 268/2021 (Chikkahayakanhalli D. Krishnaiah Shetty V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri Avinash Deshmukh, learned Counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent No. 4, are present.

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

3. S.O. to 20.09.2022.

MEMBER (A)

VICE CHAIRMAN

M.A. No. 301/2021 in O.A. St. No. 1279/2021 (Dr. Eknath D. Male V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri Shamsunder B. Patil, 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 in M.A. Time granted as a last chance.

3. S.O. to 06.09.2022.

MEMBER (A)

VICE CHAIRMAN

M.A. No. 385/2021 in O.A. No. 555/2021 (Mahendra D. Suryawanshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

<u>DATE</u> : 10.08.2022

ORAL ORDER :

Shri S.D. Dhongde, learned Counsel for the applicant (**Leave Note**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri N.L. Choudhary, learned counsel for respondent Nos. 3 & 4, are present.

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

3. S.O. to 21.09.2022.

MEMBER (A)

VICE CHAIRMAN

M.A. No. 29/2022 in O.A. St. No. 11/2022 (Yashwant M. Kadam V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri V.G. Pingle, 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 Nos. 1 to 6 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 21.09.2022.

MEMBER (A)

VICE CHAIRMAN

M.A. No. 69/2022 in O.A. St. No. 43/2022 (Bhausaheb P. Tidke & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Smt. Suchita Dhongde, learned Counsel for the applicant (**Leave Note**). Smt. M.S. Patni, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 22.09.2022.

MEMBER (A)

VICE CHAIRMAN

O.A.NOS. 553/2013 & 639, 640, 676, 681, 682, 803, 860, 864, 897, 905 TO 910 ALL OF 2012 AND 243, 259, 260 & 325 /2013 AND 626/2014 WITH O.A. 611/2013 (Shri Rashid Sk Noor Patel & Ors. V/s. State of Mah. & Ors.)

(Shri Rashid Sk Noor Patel & Ors. V/s. State of Mah. & Ors.)

OFFICE ORDER TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Justice Shri P.R. Bora, Vice Chairman AND Hon'ble Shri Bijay Kumar, Member (A)

DATE : 10.08.2022

ORAL ORDER :

Shri S.S. Dambe, learned Counsel for the applicants in all these matters (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these matters, is present.

2. S.O. to 12.12.2022 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO.128 OF 2020 (Pandit V. Sonawane V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u>: Hon'ble Shri V.D. Dongre, Member (J) <u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri Manoj M. Kadtu, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submitted that the applicant has claimed relief in this Original Application seeking to regularize the suspension period and grant of requisite full pay and allowances in view of his acquittal in special case No.17/2009 dated 10.07.2017 (Annex. 'A-1') from the offence under Section 7, 13(1) (d) punishable u/s.13(2) of the Prevention of Corruption Act, 1988.

3. In this regard, the respondents preferred Criminal Application No.6124/2017 before the Hon'ble High Court of Judicature at Bombay, Bench at Aurangabad seeking leave to file appeal challenging the judgment and order dated 10.07.2017 passed by Additional Sessions Judge, Aurangabad in Special Case No.17/2009. He further submitted that the said Criminal Application No.6124/2017 is rejected by order dated 22.07.2022. He placed on record the copy of the said order dated 22.07.2022. It is taken on record and marked as document 'X' for the purpose of identification.

4. Learned P.O. for the respondents submits that he would seek further instructions, if any, on this aspect of the matter.

5. In view of the above, S.O. to 29.08.2022.

MEMBER (J)

SAS ORAL ORDERS 10.08.2022

ORIGINAL APPLICATION NO.830 OF 2018 (Shailendra H. Mali V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

<u>CORAM</u> : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 10.08.2022.

ORAL ORDER :

Heard Shri Shamsundar B. Patil, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos.1 to 4 and Shri M.V. Bhamre, learned Advocate for the respondent No.5.

2. By consent of all the parties, S.O. to 08.09.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 10.08.2022

ORIGINAL APPLICATION NO.522 OF 2021 (Ravindra D. Raut V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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

<u>DATE</u> : 10.08.2022.

ORAL ORDER :

Heard Shri O.D. Mane, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present matter be treated as part heard.

3. By consent of both the sides, S.O. to 25.08.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 10.08.2022