

ORIGINAL APPLICATION NO.815/2021
(Ganesh M. Marathe Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri J.V.Patil, learned counsel for the applicant and Shri M.B.Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned CPO has placed on record communication dated 05-07-2024 received from Government to its office. Same is taken on record. Learned Counsel submits that he will take instructions in respect of the said communication.

3. Hence, list the matter for further consideration on 07-08-2024.

MEMBER (A)
YUK ORAL ORDER 11.07.2024

VICE CHAIRMAN

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

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

DATE : 11.07.2024

ORAL ORDER :

Shri S.G.Kulkarni, learned Counsel holding for Shri Ajay Deshpande, learned counsel for the applicant, Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities and Shri A.S.Shelke, learned Counsel appearing for added respondent no.5, are present.

Shri Shailendra S. Kulkarni, learned Counsel for respondent no.4 (**absent**).

2. S.O. to 23-07-2024. Interim relief granted earlier to continue till then.

MEMBER (A)
YUK ORAL ORDER 11.07.2024

VICE CHAIRMAN

**O.A.NO.273/2020, 275/2020, 278/2020, 279/2020,
AND 280/2020**

(Kunal D. Wadnere & Ors. Vs. State of Maharashtra & Ors.)

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

Shri Vinay Kargaonkar, Member (A)

DATE : 11.07.2024

ORAL ORDER :

Heard Shri V.B.Wagh, learned Counsel holding for Smt. Sanjivani Ghate, learned Counsel for the applicants and Shri V.R.Bhumkar, learned Presenting Officer for respondent authorities.

2. Learned P.O. has submitted a short affidavit and the documents alongwith it. Said affidavit and documents along with it are taken on record. Copy is provided to the other side.

3. List the matter for further consideration on 16-07-2024.

MEMBER (A)

YUK ORAL ORDER 11.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.659/2019
(Vijay M. Suralkar Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri Ram S. Shinde (Borulkar), learned counsel for the applicant and Shri V.R.Bhumkar, learned Presenting Officer for the respondent authorities.

2. Arguments are concluded. Reserved for order.

MEMBER (A)
YUK ORAL ORDER 11.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO.464/2023
(Muzaffer Mustafa Shah Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Amol B. Chalak, learned counsel for the applicant and Shri V.G.Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Arguments are concluded. Reserved for order.

MEMBER (A)
YUK ORAL ORDER 11.07.2024

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 682 OF 2022
(Bhimrao N. Doiphode Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri R.A. Joshi, learned counsel holding for Shri S.R. Shirsath, learned counsel for the applicant and Smt. Resha Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Leave to file typed copy of certain Annexures, which are not readable at present.

3. S.O. to 22.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 727 OF 2022
(Laxman N. Mahure Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri N.N. Bhagwat, learned counsel holding for Shri S.S. Shinde, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 19.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1046 OF 2022
(Sangram G. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. Learned Presenting Officer is directed to take specific instructions from the concerned respondent/s as to whether during pendency of the present Original Application the applicant is reinstated by revoking his suspension order.

3. S.O. to 25.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 56 OF 2023
(Uma G. Rajput Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 01.08.2024 for hearing. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 972 OF 2023
(Pandit R. Matade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. By consent, S.O. to 22.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 977 OF 2023
(Abhijeet D. Naikaware Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri O.D. Mane, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1025 OF 2023
(Sangita B. Lonari Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri N.N. Bhagwat, learned counsel for the applicant, Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities and Shri G.V. Wani, learned counsel for respondent No. 4, are present.

2. At the request of learned Presenting Officer, S.O. to 25.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 1089 OF 2023
(Sachin S. Rajmane Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant (**Leave Note**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note filed by learned counsel for the applicant, S.O. to 22.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 15 OF 2024
(Raju H. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 24.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 305 OF 2024
(Ankita S. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Smt. Manisha Dalave, learned counsel for the applicant (**Absent**). Shri D.M. Hange, learned Presenting Officer for the respondent authorities and Shri Avishkar Shelke, learned counsel for respondent No. 3, are present.

2. As none present for the applicant, S.O. to 28.08.2024 for hearing.

MEMBER (J)

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

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

DATE : 11.07.2024

ORAL ORDER :

Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities, are present. Shri S.R. Pande, learned counsel for respondent No. 3, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 30.07.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 49 OF 2018
(Ravindra V. Sapkale Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. As none present for the applicant, S.O. to 12.07.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 158 OF 2018
(Dr. Yogesh U. Sathe Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Ajay Deshpande, learned counsel for the applicant (**Absent**). Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 12.07.2024 for final hearing.

MEMBER (J)

O.A. Nos. 162 and 163 both of 2018

(Baliram B. Patil & Promod R. Kachare Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicants in both the O.As., Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities in both the O.As. and Smt. Sunita D. Shelke, learned counsel for respondent Nos. 3 & 4 in both the O.As., are present.

2. By consent, S.O. to 29.07.2024 for final hearing.

MEMBER (J)

M.A. 236/2024 in O.A. 884/2017, O.A. 885/2017, O.A. 886/2017, O.A. 887/2017, M.A. 237/2024 in O.A. 888/2017, O.A. 889/2017, O.A. 890/2017, O.A. 891/2017, M.A. 238/2024 in O.A. 892/2017, M.A. 239/2024 in O.A. 893/2017, O.A. 894/2017 and O.A. 895/ 2017
(Prabhakar D. Mali & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., is present.

Shri Mohit Deshmukh, learned counsel for the applicants in all these O.As. except O.A. No. 885/2017, party in person in O.A. No. 885/2017, Shri Vivek Deshmukh, learned counsel for the respondent No. 5 in O.A. Nos. 884, 888, 892 & 893 all of 2017 / applicant in M.A. Nos. 236, 237, 238 & 239 all of 2024, Shri N.K. Tungar, learned counsel for respondent No. 5 in O.A. Nos. 886 & 895 both of 2017, Shri Abhijit More, learned counsel for respondent No. 5 in O.A. No. 887/2017 and Shri B.R. Sontakke Patil, learned counsel for respondent No.5 in O.A. No. 891/2017, are **absent**.

2. As none present for the applicants, S.O. to 12.07.2024 for final hearing.

MEMBER (J)

M.A.NO. 276 OF 2024 IN O.A.NO. 701 OF 2024
(Keshav Mahadu Mhaskar Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Aniket V. Patil, learned counsel for the applicant, is **absent**. Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, is present.

2. By filing this Misc. Application, the applicant is seeking condonation of delay of 3530 days caused in filing the accompanying Original Application.

3. In view of above, issue notices to respondents in M.A., returnable on 23.09.2024.

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

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

//2// M.A. 276/2024 IN
O.A. 701/2024

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

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

8. S.O. to 23.09.2024.

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

MEMBER (J)

SAS ORAL ORDER 11.07.2024

M.A.NO. 280/ 2024 IN O.A.ST.NO. 1163/2024
(Kalyan Hariba Birajdar Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Suhas P. Urgunde, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. By filing this Misc. Application, the applicant is seeking condonation of delay of 228 days caused in filing the accompanying Original Application.

3. In view of above, issue notices to respondents in M.A., returnable on 24.09.2024.

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

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

//2// M.A. 280/2024 IN
O.A.St. 1163/2024

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

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

8. S.O. to 24.09.2024.

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

MEMBER (J)

SAS ORAL ORDER 11.07.2024

ORIGINAL APPLICATION NO. 704 OF 2024
(Ashok Natha Mane Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Smt. Vijaya Adkine, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 23.08.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A.704/2024

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 23.08.2024.

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

MEMBER (J)

SAS ORAL ORDER 11.07.2024

**ORIGINAL APPLICATION NO. 708 OF 2024
(Shobhabai M. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 18.07.2024.

MEMBER (J)

SAS ORAL ORDER 11.07.2024

**O.A.NO. 717/2024 WITH Caveat No. 37/2024
(Vasant Baburao Galphade Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

Learned counsel Shri A.S. Deshmukh submits that he has instructions to appear on behalf of respondent No.4 and submits **VAKALATNAMA** on behalf of said respondent.

2. Learned counsel for respondent No.4 submits short affidavit in reply on behalf of said respondent. The same is taken on record and copy thereof is given to other side.

3. Learned counsel for the applicant submits that the impugned transfer order of the applicant dated 09.07.2024 is midterm and mid-tenure. Learned counsel for the applicant has further pointed out that in order to accommodate the respondent No.4, the applicant came to be transferred mid-tenure.

//2//

O.A.717/2024

4. Learned counsel appearing for respondent No.4 has already filed short affidavit in reply and he has strongly refuted the same.

5. However, considering the aforesaid submissions, the transfer of the applicant so also posting of the respondent No.4 at the place of the applicant would be subject to outcome of this Original Application.

6. Issue notices to respondents, returnable on 23.07.2024.

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

8. 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.

9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

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O.A.717/2024

(Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

10. 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.

11. S.O. to 23.07.2024.

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

MEMBER (J)

SAS ORAL ORDER 11.07.2024

ORIGINAL APPLICATION NO. 718 OF 2024
(Rahul Avinash Pawar Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri V.S. Kadam, learned counsel holding for Shri S.S. Kulkarni, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Issue notices to respondents, returnable on 18.07.2024.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

//2// O.A.718/2024

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 18.07.2024.

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

MEMBER (J)

SAS ORAL ORDER 11.07.2024

ORIGINAL APPLICATION NO. 719 OF 2024
(Sohail Noor Mohammad Shaikh Vs. State of Maharashtra
& Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri Vivek V. Kabade, learned counsel for the applicant and Shri M.B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that the impugned transfer order of the applicant is midterm and mid-tenure. The applicant came to be transferred as Sub Divisional Police Officer, Udgir some four months back and by way of this impugned order, he came to be transferred again, however, the posting is not given.

3. Learned counsel for the applicant submits that no separate order has been passed though it is mentioned in paragraph No.2 of the order dated 08.07.2024 about the transfer of the applicant.

4. It is thus not known as to on what grounds, the applicant has been transferred midterm and mid-tenure.

5. Learned C.P.O. seeks one week time to take specific instructions. Time granted.

6. S.O. to 12.07.2024. **First on board.**

MEMBER (J)

ORIGINAL APPLICATION NO. 940 OF 2019
(Ashok Dinkarrao Phadnis Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri S.D. Joshi, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities finally with consent at the admission stage.

2. Learned counsel for the applicant submits that the Revised Pay Rules particularly Rule 10 of the Maharashtra Civil Services (Revised Pay) Rules, 2009 (hereinafter referred to as "Rules, 2009") is relevant. The said Rule 10 of Rules, 2009 is reproduced herein below:-

"10. Date of next increment in the revised pay structure.- There will be a uniform date of annual increment, viz. 1st July of every year. Employees completing 6 months and above in the revised pay structure as on the 1st day of July will be eligible to be granted the increment. The first increment after fixation of pay on the 1st day of January 2006 in the revised pay structure will be granted on the 1st day of July 2006. Accordingly, all Government servants who earned their last increment between the 2nd day of January 2005 and the 1st day of January 2006 would get their next increment on the 1st day of July 2006. Provided that, in

the case of Government servants whose date of increment falls on the 1st day of January 2006, the increment will be drawn in the pre-revised scale and pay fixed in accordance with these rules after including this increment. The next increment in the revised pay structure in such cases will be drawn on the 1st day of July, 2006:

Provided further that, in the case of employee who had been drawing maximum of the existing scale for more than a year as on the 1st day of January 2006, the next increment in the revised pay structure shall be allowed on the 1st day of January 2006. Thereafter, the provision of Rule 10 would apply.

Provided also that, in cases where an employee reaches the maximum of his pay band, shall be placed in the next higher pay band after one year of reaching such a maximum. At the time of placement in the higher pay band, benefit of one increment will be provided. Thereafter, he will continue to move in the higher pay band till his pay in the pay band reaches the maximum of PB-4, after which no further increments will be granted.”

3. It appears that in terms of aforesaid Rule 10 of Rules, 2009, the respondent authorities have rightly considered the case of the applicant, which reflects from the order/communication dated 30.04.2024. As per Rule 10 of the Rules, 2009 there will be a uniform date of annual increment, viz. 1st July of

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O.A. 940/2019

every year. The employees completing 6 months and above in the revised pay structure as on 1st day of July will be eligible to be granted the increment. The first increment after fixation of pay on the 1st day of January 2006 in the revised pay structure will be granted on the 1st day of July 2006. Accordingly, all the Government servants who earned their last increment between the 2nd day of January 2005 and the 1st day January 2006 would get their next increment on the 1st day of July 2006.

4. In the instant case, the applicant would be completing one year on 05.03.2010 and the Revised Pay Rules came in to force on 22.04.2009.

5. In view of above, nothing survives for further consideration in this Original Application. The Original Application is accordingly disposed of.

6. In the circumstances, there shall be no order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 133 OF 2021
(Balasaheb A. Chivate Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

Heard Smt. Suchita A. Dhongde (Upadhyay), learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities.

2. This is a part heard matter.
3. S.O. to 29.08.2024 for production of citations by the parties.

MEMBER (J)

**ORIGINAL APPLICATION NO. 495 OF 2023
(Raziabee Shaikh Mohammed Vs. State of Maharashtra &
Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

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

2. This is a part heard matter.

3. At the request of learned counsel for the applicant, S.O. to 18.07.2024 for further hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 717 OF 2023
(Rajendra D. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

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

2. The Original Application is hereby allowed for the reasons to follow.

MEMBER (J)

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

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

DATE : 11.07.2024

ORAL ORDER :

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

2. This is a part heard matter.

3. Learned counsel for the applicant submits a copy of circular dated 24.10.2007. The same is taken on record and copy thereof is given to learned P.O.

4. Learned P.O. submits that he has already filed the affidavit of the department in the present O.A. accepting therein that this circular is still in force.

5. In view of above, S.O. to 22.07.2024 for further hearing.

MEMBER (J)

**M.A. 353/2021 IN M.A.ST. 1144/2021 IN O.A.ST. 1145/2021
(Ramkrushan D. Gore & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicants and Shri D.T. Devane, learned counsel for respondent No.4 have filed a **leave note**. Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, is present.

2. In view of leave note of learned counsel for the applicants and learned counsel for respondent No.4, S.O. to 09.09.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 11.07.2024

ORIGINAL APPLICATION NO. 82 OF 2021
(Deepak S. Zinjurde Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Joslyn A. Menezes, learned counsel holding for Smt. Amruta Paranjape-Menezes, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. By consent of both the sides, S.O. to 05.08.2024 for hearing.

MEMBER (J)

SAS ORAL ORDER 11.07.2024

ORIGINAL APPLICATION NO. 73 OF 2022
(Chakardhar P. Wadje Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

Shri D.T. Devane, learned counsel for respondent No.2 has filed a **leave note**.

2. In view of leave note of learned counsel for respondent No.2, S.O. to 02.08.2024 as a last chance for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 227 OF 2024
(Sandhya P. Shinde Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

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

2. Learned P.O. submits that the affidavit in reply on behalf of respondent No.3 will be filed during course of the day.

3. Learned counsel for the applicant seeks time to file affidavit in rejoinder. Time granted.

4. List the matter for filing affidavit in rejoinder, if any and for admission hearing on 29.08.2024.

5. The interim relief granted earlier to continue till then.

MEMBER (J)

O.A.NOS. 324 TO 330 ALL OF 2024
(Dr. Manohar T. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants in all these O.As. and Shri D.M. Hange, learned Presenting Officer for the respondent authorities in all these O.As., are present.

Shri R.S. Pawar, learned counsel for respondent No.5 in O.A.No. 326/2024, is **absent**.

2. Learned Presenting Officer submits that the proposal has been forwarded to the extent of applicants in O.A.Nos. 324, 328 & 330 all of 2024 and the same is now pending before the concerned Minister.

3. In view of above, S.O. to 24.07.2024 for hearing. Status quo granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 826 OF 2023
(Bapurao D. Pattewale Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

Shri Sachin S. Deshmukh, learned counsel for respondent Nos. 3 & 5, is **absent**.

2. At the request of learned P.O., S.O. to 07.08.2024 as a last chance for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

MEMBER (J)

SAS ORAL ORDER 11.07.2024

**ORIGINAL APPLICATION NO. 905 OF 2023
(Nafis Sultana Mohammed Yusuf Shaikh Vs. State of
Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

Smt. Almas Riyaz Shaikh, learned counsel for the applicant and Smt. R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 2 & 3. The same is taken on record and copy thereof is given to other side today itself.

3. Learned counsel for the applicant seeks time to go through the same and file affidavit in rejoinder, if any.

4. List the matter for filing affidavit in rejoinder and for admission hearing on 07.08.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 107 OF 2024
(Ashwamedh B. Jagtap Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Mohit R. Deshmukh, learned counsel for the applicant, is **absent**. Shri D.M. Hange, learned Presenting Officer for the respondent authorities, is present.

2. Learned P.O. submits that the affidavit in reply on behalf of respondent Nos. 1 & 2 will be filed during course of the day.

3. List the matter for filing affidavit in rejoinder, if any and for admission hearing on 26.08.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 254 OF 2024
(Krishna B. Gaikwad Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. Learned counsel for the applicant submits that all the respondents have been duly served and the service affidavit to that effect will be submitted in the office today itself.

3. Learned P.O. seeks time to take instructions. Time granted.

4. S.O. to 19.08.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 496 OF 2024
(Dr. Sunil Gorakh Vidhate Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri Bhushan V. Virdhe, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authorities.

2. Learned Presenting Officer submits that by communication dated 25.06.2024, the respondent No.2 has informed that the impugned order of transfer of the applicant has been cancelled.

3. The copy of said communication dated 25.06.2024 is already on record, marked 'X' for identification.

4. Learned counsel for the applicant has also not disputed the same.

5. In view of above, nothing survives for further consideration in this Original Application. The Original Application is accordingly disposed of.

6. In the circumstances, there shall be no order as to costs.

MEMBER (J)

**ORIGINAL APPLICATION NO. 593 OF 2024
(Rama C. Hawaka Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

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

2. Learned P.O. submits affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy thereof is given to other side.

3. List the matter for filing affidavit in rejoinder, if any and for admission hearing on 23.07.2024.

MEMBER (J)

SAS ORAL ORDER 11.07.2024

**M.A.NO. 06/2024 IN O.A.ST.NO. 3133/2023
(Girju D. Jatgap Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

Shri Azizoddin R. Syed, learned counsel for the applicant and Shri R.S. Deshmukh, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that during course of the day, the affidavit in reply on behalf of respondent Nos. 2 & 3 will be filed.

3. Learned P.O. submits that the respondent No.1 may adopt the affidavit in reply filed on of respondent of respondent Nos. 2 & 3 and if necessary, the additional reply will be filed.

4. S.O. to 27.08.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 974 OF 2023
(Afsar Khan Samsheer Khan Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. Learned P.O. submits affidavit in reply on behalf of respondent No.4. The same is taken on record and copy thereof is given to other side today itself.

3. List the matter for filing affidavit in rejoinder, if any and for admission hearing on 09.09.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 16 OF 2024
(Ganesh B. Phulari Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Smt. Vijaya Adkine, learned counsel for the applicant and Shri A.P. Basarkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits affidavit in reply on behalf of respondent No.1. The same is taken on record and copy thereof is given to other side today itself.

3. List the matter for filing affidavit in rejoinder, if any and for admission hearing on 23.08.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 987 OF 2023
(Dr. Shaikh Salim Gulab Vs. State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 22.07.2024 for taking instructions.

3. The interim relief granted earlier to continue till then.

MEMBER (J)

SAS ORAL ORDER 11.07.2024

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

WITH

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

WITH

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

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

DATE : 11.07.2024

ORAL ORDER :

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

2. S.O. to 29.07.2024 for hearing.

MEMBER (J)

**M.A.NO. 144 OF 2024 IN O.A.NO. 412 OF 2024
(Sumedh Dattarao Raut Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

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

Shri K.S. Solanke, learned counsel for respondent Nos. 4 to 6, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 26.07.2024 for hearing.

MEMBER (J)

**M.A.NO. 574/2023 IN O.A.ST.NO. 2363/2023
(Mira G. Kulkarni Vs. State of Maharashtra & Ors.)**

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

DATE : 11.07.2024

ORAL ORDER :

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

2. Leave to correct prayer in the Misc. Application till next date.

3. The applicant to submit the corrected/amended Misc. Application before this Tribunal and to serve the same to learned P.O.

4. S.O. to 24.07.2024 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 674 OF 2024
(Maroti Harischandra Katkade Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri S.S. Dambe, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 06.09.2024.

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

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

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

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

7. S.O. to 06.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 623 OF 2024
(Dhenu Vasantao Pawar Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri K.F. Shingare, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 06.09.2024.

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

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

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

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

7. S.O. to 06.09.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 151 OF 2024
(Dipak Sudam Rathod Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri (Dr.) Gadge Satish, learned counsel holding for Shri A.R. Borulkar, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 05.08.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 576 OF 2024
(Surekha S. Bhalashankar Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Sanjay Pagare, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Shri A.S. Shelke, learned counsel appeared today before this Tribunal and submits that he has received instructions from respondent No. 3 to appear on behalf of the said respondent. He further submits that during the course of the day he will file VAKALATNAMA in the registry and prayed for time to file affidavit in reply.

3. Learned Presenting Officer has also sought time for filing affidavit in reply on behalf of the State authorities. Granted.

4. S.O. to 13.08.2024. The interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 705 OF 2024
(Dr. Sanjeeta Vijay Bansode Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 05.08.2024.

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

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

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

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

7. S.O. to 05.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 707 OF 2024
(Shivdas Dattarao Badwane Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri S.C. Yeramwar, learned counsel for the applicant (**absent**). Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 20.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 537 OF 2022
(Namdeo Manga Wade Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

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

2. Learned counsel appearing for the applicant submits that during the pendency of present Original Application the applicant has expired. Learned counsel further submits that the legal heirs of the deceased are not intending to prosecute the matter further and in the circumstances he has prayed for passing appropriate order. Hence, the following order is passed: -

ORDER

In view of the death of the applicant, who has filed the present O.A., the O.A. stands abated. No order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 460 OF 2024
(Yadav Shankarrao Jadhav Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Sayyed Tauseef Yaseen, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer submits that during the course of the day the affidavit in reply on behalf of respondent Nos. 1 to 3 will be filed. If it is so filed it be taken on record and copy thereof be given to the learned counsel for the applicant.

3. List the matter for hearing on 22.07.2024. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 02 OF 2024
(Dr. Sachin Manikrao Deshmukh Vs. The State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Vishal Rathod, learned counsel holding for Shri Shamsunder B. Patil, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant submits that the applicant is not intending to file any rejoinder affidavit and has prayed for listing the matter for hearing.

3. In view of above, list the matter for hearing on 05.09.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 715 OF 2024
(Sunil Prabhakar Wakle Vs. The State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri S.S. Dambe, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 09.08.2024. **In the meanwhile if any appointment is issued on the post of Craft Instructor MMV Trade at Chhatrapati Sambhajnagar Regoin, that shall be subject to outcome of the present Original Application.**

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 09.08.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 872 OF 2023
(Rajratan Nagorao Kamble & Ors. Vs. the State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Heard Shri P.G. Rodge, learned counsel holding for Shri Krishna P. Rodge, learned counsel for the applicants and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities.

2. Learned counsel appearing for respondent Nos. 6 & 7 submits that these respondents are adopting the affidavit in reply filed by the State authorities and may not be filing any separate affidavit in reply.

3. Learned Presenting Officer has brought to our notice that in the present matter the Principal Secretary, Public Health Department is not a proper and necessary party. Learned Presenting Officer further submits that the issue which has been raised in the present matter relates to the Director of Medical Education and Research. The submissions are taken on record.

4. Learned counsel for the applicants submits that leave be granted to carry out the correction accordingly. Leave granted.

5. Learned Presenting Officer submits that on the previous date the affidavit in reply has been filed stating that it is the reply of respondent Nos. 1 to 4, in fact, it is the reply of respondent Nos. 2 to 4. He has, therefore, prayed for leave to carry out the correction accordingly. Leave granted.

6. S.O. to 23.08.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 921 OF 2023
(Sakharabai Rajendra Shinde Vs. The State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Sartaj H. Pathan, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. Learned counsel appearing for the applicant submits that rejoinder affidavit is not to be filed. In view of the same, list the matter for hearing on 05.09.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 393 OF 2024
(Dr. Shaikh Wahab S/o Ayub Vs. The State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri Kalidas B. Bhise, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the learned Presenting Officer.

3. Learned Presenting Officer submitted that in the present matter though the Tribunal has passed interim order on the previous date i.e. on 28.06.2024 not to discontinue the applicant, before passing of the said order the applicant was discontinued from the services. Learned counsel appearing for the applicant submits that even otherwise on the strength of the order passed by the respondents, respondents could not have discontinued the services of the applicant before 29th June, 2024. The submissions are taken on record.

:: - 2 - ::

O.A. NO. 393/2024

4. List the matter for hearing on 23.07.2024. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 11.07.2024-HDD

ORIGINAL APPLICATION NO. 164 OF 2024
(Dr. Monali Tulshiram Bhorge Vs. The State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

Shri S.K. Kadam, learned counsel for respondent No. 3 (**absent**).

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 25.07.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 160 OF 2024
(Dr. Archana Baburao Dhavale Vs. The State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

Shri S.K. Kadam, learned counsel for respondent No. 5 (**absent**).

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 25.07.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 165 OF 2024
(Dr. Sushant Sanjay Dhanavade Vs. The State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 25.07.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 167 OF 2024
(Amarsingh R. Hajari Vs. The State of Maharashtra & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 & 2 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 25.07.2024.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 204 OF 2024
(Shobha Munjaji Munde & Ors. Vs. The State of Maha. & Ors.)

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

DATE : 11.07.2024

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant and Shri Mahesh B. Bharaswadkar, learned Chief Presenting Officer for the respondent authorities, are present.

Shri S.K. Kadam, learned counsel for respondent No. 4 (**absent**).

2. 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 learned counsel for the applicant.

3. S.O. to 25.07.2024.

MEMBER (A)

VICE CHAIRMAN