

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. before Hon'ble Division Bench

DB is Not Available

Date: -11/09/2023

Sr · N o	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	OA822/23	Beed	Adv S S Thombre (Shashikant B Morale & Ors.)	Selection Process		14.9.2023
2	OA825/23	Dhule	Adv.Dhananjay Mane (Sonia D Bagde)	Appointment	Circulation	5.10.2023
3	OAS1531/23	Dhule	Adv.Suchita Dhongde (Rajendra J Pawar)	Dismissal From Service	Circulation with Office Objection	20.9.2023
4	OA271/23	A'nagar	Adv.A.S. Deshpande (Anil S Chavan)	Selection Process (MPSC-Debar)	Circulation	21.9.2023
5	MA395/23 In MA396/23 In OA778/23	Dhule Etc.	Adv.A.S. Khedkar In MA395/23 (Nitin A Jadhav & Ors.) Adv.A.S. Khedkar/ Adv.Pranoti R Karpe In MA396/23 (Ravikiran D Sonawane & Ors.) Adv.Sanket S Kulkarni/ Adv.S.S. Kurundkar (Mukund R Jawale) Adv.Avinash S Deshmukh In OA778/23 (Vitthal G Shinde & Ors.) Adv.Ganesh P Darandale For R.Nos.7, 12, 32, 24 In OA778/23	M.A.395/23 For Vacating I.R. M.A.396/23 For Vacating I.R. OA778/23 For Selection Process	Circulation Taken by Adv.A.S. Khedkar	20.9.2023

Order Matters						
6	MA456/18 In OAST1919/18	A'bad	Adv.Ajay S Deshpande (Lakshman K Nirmal) <u>Adv.S.R. Kedar for R.No.3</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-2	12.10.2023
7	MA224/19 In OA236/19	Beed	Adv.K.B. Jadhav (Sanjay B Udar)	M.A. For I.R.	For Hearing	12.10.2023
8	MA200/20 In MA506/18 In OAST1951/18	A'bad	Adv.R.N. Bharaswadkar (Sajed Khan Ajiz Khan Pathan) <u>Adv.C.B. Gore for R.Nos.5 & 6</u> <u>Adv.V.G. Pingle for R.No.7</u>	M.A. For Intrim Relief	For Hearing Reply Filed by R-1 to R-3 In MA200/20	16.10.2023
9	MA188/23 In MA343/21 In OA692/17	P'bhani	Adv.V.G. Pingle (Bhanudas R Watane)	M.A. For Amendment		4.10.2023
10	MA336/23 In OA185/21	Beed	Adv.V.B. Wagh (Subhash J Khote)	M.A. For Direction		13.10.2023
11	MA388/23 In MA370/23 In MA225/23 In OA356/23	A'bad	Adv.V.B. Wagh (Sharad P Jare) <u>Adv.K.G. Salunke for R.No.3</u>	M.A.388/23 For Amendment MA370/23 for I.R. MA225/263 for I.R.		13.9.2023
Due Admission Matters						
12	CP16/20 In OA886/18 With	Nanded	Adv.G.N. Kulkarni (Baliram D Waghmare)	Contempt Petition	For Hearing	27.10.2023
13	CP17/20 In OA883/18	Nanded	Adv.G.N. Kulkarni (Sawairam D Rathod)	Contempt Petition	For Hearing	27.10.2023
14	OA256/18	Dhule	Party In Person (Avinash P Chandra & Ors.)	Challenging G.R.	For Hearing Reply Filed by R-2 & R-3	3.10.2023

15	OA299/19 With MA398/23 With Caveat30/23 with	A'bad	Adv.Preeti R Wankhade (Rahul T Pol & Ors.) <u>CPO MAT A'BAD For Caveator</u> (i.e. The Commissioner, Health & Mission Director National Health Mission, Maharashtra State, Arogya Bhavan, Saint George Hospital Compound, Near CST Mumbai)	Advertisement / Allow to Appear For Exam <u>M.A. 398/23 For I.R.</u>	For Hearing Reply Filed by R-1 to R-3	12.9.2023
16	OA463/21	A'bad	Adv.P.R. Wankhade (Payal P Tathe)	Selection Process	For Hearing Reply Filed by R-1 to R-3	
17	OA146/20	Jalna	Adv.Avinash S Deshmukh (Ankush H Manbhare) <u>Adv.S.A. Deshmukh for R.No.4</u>	Appointment	For Hearing Reply Filed by R-1, R-3 & R-4	30.10.2023
18	OA383/20	Hingoli	Adv.Omprakash Y Kashid (Sachin D Maindale)	Departmental Enquiry	For Admission Reply Filed by R-3 to R-6	30.10.2023
19	OA77/21	A'bad Hingoli Nanded	Adv.V.B. Wagh (Vishvanath H Mahindrakar & Ors.)	Reversion	For Hearing Reply Filed by R-1 & R-2	29.9.2023
20	OA101/21	Dhule	Adv.Suresh D Dhongde (Dhansing B Chavan)	Termination	For Hearing Reply Filed by R-1 to R-3	30.10.2023
21	OA165/21 With	A'nagar	Adv.R.A. Joshi (Anil Y Rokade) <u>Adv.Sham B Patil for R.Nos.2 & 3</u>	Direction/ Removal From Service	For Hearing Reply Filed by R-1 to R-3	31.10.2023
22	OA680/21	A'nagar	Adv.R.A. Joshi (Anil Y Rokade) <u>Adv.Sham B Patil for R.Nos.2 & 3</u>	Major Punishment	For Hearing Reply Filed by R-2 & R-3	31.10.2023
23	OA658/21 with	Beed	Adv.M.S Karad (Sayyed Taufik Harun)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023

24	OA659/21 with	Beed	Adv.M.S.Karad (Sushilkumar B Rakh)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
25	OA660/21 with	Beed	Adv.M.S. Karad (Vaibhav S Gaikwad)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
26	OA661/21 with	Beed	Adv.M.S. Karad (Ganesh R Sanap)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
27	OA182/22 with	Beed	Adv.M.S. Karad (Laxman M Misal & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
28	OA183/22 with	Beed	Adv.M.S. Karad (Ashok M Jaybhaye & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
29	OA184/22 with	Beed	Adv.M.S. Karad (Nagesh N Kharat & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
30	OA185/22 with	Beed	Adv.M.S. Karad (Ramdas B Sanap & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
31	OA186/22 with	Beed	Adv.M.S. Karad (Ganesh V Darade & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
32	OA187/22 with	Beed	Adv.M.S. Karad (Sujoyot S Bhandari & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
33	OA391/22 with	Beed	Adv.M.S. Karad (Akash G Garje)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
34	OA428/22 with	Beed	Adv.M.S. Karad (Ravi N Khade & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
35	OA429/22	Beed	Adv.M.S. Karad (Ramesh S Ghubade & Ors.)	Appointment	For Hearing Reply Filed by R-1 to R-7	17.10.2023
36	OA3/22	Jalgaon	Adv.C.V.Dharurkar (Sunli S Ingle)	D.E.	For Hearing Reply Filed by R-2 & R-3	3.10.2023

37	OA19/22	Beed	Adv.J.S. Deshmukh (Bharat B Gujar)	Seniority/ Promotion/ Other Monetary Benefits	For Hearing Reply Filed by R-3	4.10.2023
38	OA93/22	A'bad	Adv.Avinash S Deshmukh (Vidya S Sudane)	Promotion	For Admission	3.10.2023
39	OA767/22	Dhule	Adv.Kakasaheb B Jadhav (Jaywant R Wagh)	Resignation Qualifying Service, Seniority	For Hearing Reply Filed by R-3	17.10.2023
40	OA953/22	A'bad	Adv.Anant Devakate/ Adv.K.B. Jadhav (Nilkanth S Prakash)	Appointment	For Hearing	17.10.2023
41	OA137/23	A'bad	Adv.K.B. Jadhav (Vijay V Pagare)	Termination	For Hearing	17.10.2023
Final Hearing Matters						
42	OA716/18 With	O'bad	Adv.Sujeet D Joshi (Atul N Shirke)	Appointment	Reply filed By R-1 to R-4	19.10.2023
43	OA634/18 With	Beed	Adv.Sujeet D Joshi (Prمود S Chormale)	Appointment	Reply filed By R-5 & R-7	19.10.2023
44	OA635/18 With	Beed	Adv.Sujeet D Joshi (Mahesh A Talekar)	Appointment	Reply filed By R-2 to R-4	19.10.2023
45	OA636/18	Beed	Adv.Sujeet D Joshi (Vinay P Sarpate)	Appointment	Reply filed By R-2 to R-4	19.10.2023
46	OA847/18	Nanded	Adv.Talekar & Associates (Ananda N Kolewad) <u>Adv.M.R. Wagh for R.No.4</u>	Selection/ Appointment	Reply Filed by R-2	26.10.2023
47	OA312/19	Beed	Adv J S Deshmukh (Dr. Ashok P Misal)	Appointment	Reply Filed By R-1	26.10.2023
48	OA572/21	A'nagar	Adv.V.M. Maney (Babasaheb E Jakate)	Qualifying Service/ Condonation of Degiciency in Service	Reply Filed by R-2	27.10.2023
9	MA11221 In OA386/20	Nanded	Adv.Santosh C Bhosle (Ganga S Suryawanshi)	M.A. For I.R.	Reply Filed by R-3	27.10.2023

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for reply board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP40/22 In OA1082/19	A'bad	Adv.A.S. Gandhi (Naresh W Sakpal)	Contempt Petition	For Filing Affidavit in Reply	Withdraw
2	OA1036/19	N'bar	Adv.Talekar & Associates (Dr.Naresh S Shinde) <u>Adv.Rakesh Jain for R.No.4</u>	Reinstate in Service/ Regularisation	For Filing Affidavit in Rejoinder	18.10.2023
3	OA1085/19	Nanded	Adv.A.S. Deshpande (Bhaskar M Taske)	Termination	For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed by R-2	18.10.2023
4	OA308/21	Beed	Adv.Santosh S Jadhavar (Nita B Magare)	Seniority	Await Service of Notice For R-1 & As One More Last Chance For Filing Affidavit in Reply Filed by R-2 & R-3	19.10.2023
5	OA42/22	Dhule	Adv.S.S. Kulkarni/ Adv.A.B. Kulkarni (Surendranath B Shinde) <u>Adv.S.D. Kotkar for R.No.17</u>	Promotion	<u>For Taking Necessary Steps</u> Await Service For Respondent Nos. 6 to 8, 13, 14, 16, 18, 27, 29, 32, 33, 37, 39 to 45, 48, 51, 53, 61 & 68	19.10.2023
6	OA240/22	O'bad	Adv.C.V. Dharurkar (Ankij P Sawai) <u>Adv.S.B. Solanke for R.No.4</u>	Qualification	As a Last Chance For Filing Affidavit in Reply	19.10.2023
7	OA243/22	J'gaon	Adv.D.T. Devane (Ghansham D Chavan & Ors.) <u>Adv.M.B. Kolpe for R.No.2</u>	Departmental Examination/ Declaration of Result	As a Last Chance For Filing Affidavit in Rejoinder	20.10.2023
8	OA312/22	A'bad	Adv.Vivek U Rathod/ Adv.S.S Kulkarni (Shaym V Jadhav)	Seniority/ Promotion	For Filing Affidavit in Rejoinder	20.10.2023

9	OA504/22	A'bad	Adv.A.S. Deshpande (Kiran S Pawar)	De Novo Enquiry	For Filing Affidavit in Rejoinder	4.10.2023
10	OA705/22	Beed	Adv.M.S. Karad (Amol V Sanap & Ors.)	Selection Process	Await Service of Notice For R-3 & For Filing Affidavit in Reply Filed of other Respondents	17.10.2023
11	OA726/22	Nashik Dhule	Adv.D.T. Devane (Dinesh N Patil) <u>Adv.M.B. Kolpe for R.No.2</u>	Selection	As a Last Chance For Filing Affidavit in Rejoinder	25.10.2023
12	OA868/22	Nanded	Adv.R.P. Bhumkar (Ramdas G Gangadhare)	Revised Pay Scale/ Pensionary Benefits	Await Service of Notice For R-2 & For Filing Affidavit in Rejoinder	18.10.2023
13	OA878/22	Beed	Adv.M.S. Karad (Dattatray A Galgate)	Appointment	For Reply	17.10.2023
14	OA907/22	Beed	Adv.M.S. Karad (Ajay S Rathod & Ors.)	Appointment	Await Service of Notice	17.10.2023
15	OA908/22	Beed	Adv.M.S. Karad (Chandrakant K Sanap & Ors.)	Appointment	Await Service of Notice	17.10.2023
16	OA909/22	Beed	Adv.M.S. Karad (Rahul Y Pawal & Ors.)	Appointment	Await Service of Notice	17.10.2023
17	OA910/22	Beed	Adv.M.S. Karad (Pankaj R Rathod & Ors.)	Appointment	Await Service of Notice	17.10.2023
18	OA911/22	Beed	Adv.M.S. Karad (Dipak D Sanap & Ors.)	Appointment	Await Service of Notice	17.10.2023
19	OA912/22	Beed	Adv.M.S. Karad (Yuvraj N Rakh)	Appointment	For Reply	17.10.2023
20	OA1101/22	Beed	Adv.M.S. Karad (Dipak S Sanap & Ors.)	Appointment	For Reply	17.10.2023

21	OA1103/22	Beed	Adv.M.S. Karad (Satish B Bhavar & Ors.)	Appointment	For Reply	17.10.2023
22	OA1104/22	Beed	Adv.M.S. Karad (Vishwanath B Nagargoje & Ors.)	Appointment	For Reply	17.10.2023
23	OA1105/22	Beed	Adv.M.S. Karad (Sanjaykumar V Sanap & Ors.)	Appointment	For Reply	17.10.2023
24	OA986/22	Beed	Adv.M.S. Karad (Avinash A Rakh)	Selection/ Appointment	Await Service of Notice	17.10.2023
25	OA998/22	Beed	Adv.M.S. Karad (Hanuman A Baglane & Ors.)	Selection/ Appointment	Await Service of Notice	17.10.2023
26	OA1054/22	Beed	Adv.M.S. Karad (Yogesh A Bangar & Ors.)	The Experience Certificate/ Appointment	Await Service of Notice	17.10.2023
27	OA1076/22	Beed	Adv.M.S. Karad (Dnyaneshwar V Parjane & Ors.)	The Seasonal Experience Certificate/ Appointment	Await Service of Notice	17.10.2023
28	OA167/23	Beed	Adv.M.S.Karad (Kailas B Shinde)	Appointment	Await Service of Notice For R-2, R-3, R-5 & R-6	17.10.2023
29	OA985/22	Beed	Adv.M.S. Karad (Vitthal H Wanve)	Selection/ Appointment	Await Service of Notice	17.10.2023
30	OA1077/22	Beed	Adv.M.S. Karad (Ganesh D Nagargoje & Ors.)	The Experience Certificate/ Appointment	Await Service	17.10.2023
31	OA1078/22	Beed	Adv.M.S. Karad (Vikas N Khedkar & Ors.)	The Experience Certificate/ Appointment	Await Service	17.10.2023
32	OA1083/22	N'bar	Adv.Talekar & Associates (Santosh R Shirsat & Ors.)	Challenging G.R.	For Filing Affidavit in Rejoinder For Further Consideration	29.9.2023

33	Rev02/23 In OA562/21	P'bhani	Adv.S.D. Joshi (Alka B Naigaonkar)	Review Petition	For Reply	18.10.2023
34	OA63/23	Beed	Adv M.S. Karad (Sanjay G Mahske)	Appointment	For Reply	17.10.2023
35	OA281/23	A'bad Latur Etc.	Adv.A.S. Khedkar (Pravin U Jadhav & Ors.)	Selection Process	For Filing Affidavit in Rejoinder	18.10.2023
36	OA298/23	Jalna Etc.	Adv.Avinash S Deshmukh (Pramod G Kharat & Ors.)	Promotion	For Filing Affidavit in Reply	18.10.2023
37	OA515/23	Nanded	Adv.R. V. Gore (Harish D Mahure)	Selection Process (MPSC)	Await Service	26.10.2023
38	OA590/23	Dhule	Adv.K.B. Jadhav (Rajendra A Shirsat)	Departmental Enquiry	For Filing Affidavit in Reply	29.9.2023
39	OA750/23	A'bad	Adv.Avinash S Deshmukh (Dr. Asha S Munjal)	Selection Process (MPSC)	Await Service	18.9.2023
40	OA795/23	Latur	Adv.Suchita Dhongde (Atul M Dongre)	Selection Process	Await Service	26.10.2023
Order Matters						
41	MA81/20 In OASt2435/19	Beed	Adv.A.D. Gadekar (Dipali N Kulkarni)	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	25.10.2023
42	MA40/23 In TA21/22 WP10068/22	A'nagar	Adv.Adv.V.B. Wagh (Babasaheb G Borhade)	M.A. For Condonation of Delay	For Filing Affidavit in Reply For R-1 & R-2	25.10.2023
43	MA223/23 With MA12/22 In OASt1746/21	Nanded	Adv.S.B. Patil (Keshawrao W Pawar)	M.A. For Amendment	For Reply	26.10.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH AT
AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -11/09/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Regular Admission Matters						
1	OAS1148/21	A'nagar	Adv.Amol S Gandhi (Manoranjn M Gatkal)	Recovery of Govt. Quarter	With Office Objection	3.11.2023
2	MA380/23 In OA542/23	N'bar	Adv.N.L. Choudhari (Dr.Kantilal Z Chaudhari)	M.A. For Condonation of Delay		19.10.2023
3	OA817/23	Jalna	Adv.Vivek G Pingle/ Adv.Pallavi Karhadkar (Vaishali N Kattul)	Benefit of G.R.		17.10.2023
4	OAS1637/23	Latur	Adv.Jayant S Deshmukh (Dr. Vaijanath K Sasatte)	Pension/ Regularisation	Circulation with Office Objection	Removed from board
5	OAS1727/23	P'bhani	Adv.S.S. Thombre (Dr. Balasaheb S Nagargoje)	Suspension	Circulation with Office Objection	16.10.2023
6	OA620/23	Jalna	Adv.A.D. Sugdare (Anita J Bhaitilak)	Transfer	Circulation	12.9.2023
Order Matters						
7	MA420/21 In OAST1163/19	Latur	Adv.G.S. Shete (Khandu G Joshi)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R-3	12.10.2023
Due Admission Matters						
8	OA554/19	Nanded	Adv.S.B. Pawar (Ashok V Gade) <u>Adv.S.B. Mene for R.Nos.2 & 3</u> <u>Adv.S.B. Mene has Filed Leave Note From 08.09.2023 to 12.09.2023</u>	Time Bound Promotion/ ACPS	For Hearing Reply Filed by R-2 & R-3	27.9.2023
9	OA643/19	Obad	Adv.R.P. Bhumkar (Majid Ismail Shaikh)	Time Bound Promotion/ Assured Carrier Progress Scheme	For Hearing Reply Filed by R-1 to R-3	27.9.2023

10	OA440/20	A'bad	Adv.Preeti R Wankhade (Sitaram D Kolte & Ors.)	Withdrawal of Benefit of Revbised A.C.P.S./ Time Bound Promotion	For Hearing Reply filed by R-1 to R-4	27.9.2023
11	OA27/22	Nanded	Adv.I.D. Maniyar (Shaikh Hamed Shaikh Hyder)	Deemed Date of Promotion	Reply Filed by R-1 to R-3	27.9.2023
12	OA212/22	Dhule	Adv.V.B. Wagh (Shantilal M More)	Benefits of Assured carrer Progress Scheme	For Hearing Reply Filed by Respondent	27.9.2023
13	OA278/22	A'bad	Adv.A.S. Deshmukh (Anwar Khan Azizkhan Pathan)	Compassioante Pension	For Hearing Reply Filed by R-1 to R-3	3.10.2023
14	OA338/22	Nanded	Adv.I.D. Maniyar (Khawja Munneruddin Mohammad Naseeruddin)	2 nd Benefit of T.B.P. & A.C.P.S	For Further Consideration Reply Filed by R-1 to R-3	27.9.2023
15	OA473/22	A'nagar	Adv.A.S. Deshmukh (Satish V Mote)	Regularization of Services	For Hearing	3.10.2023
16	OA550/22 with	P'bhani	Adv.Vivek G Pingle (Raghoji R Bele)	Benefit of G.R.	For Hearing	16.10.2023
17	OA551/22 with	P'bhani Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Bapurao G Chikalkar & Ors.)	Benefit of G.R./ Permanancy	For Hearing	
18	OA552/22 with	P'bhani Hingoli	Adv.Vivek G Pingle (Kiran M Ubale & Ors.)	Benefit of G.R./ Permanancy	For Hearing	
19	OA553/22 with	P'bhani	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Punjaji S Yelne & Ors.)	Benefit of G.R./ Permanancy	For Hearing	
20	OA554/22 with	P'bhani Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Nandkishor M Hanswal & Ors.)	Benefit of G.R.	For Hearing	
21	OA555/22 with	P'bhani Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Ismail Ahmad Nadaf & Ors.)	Benefit of G.R.	For Hearing	
22	OA556/22 with	P'bhani Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Balasaheb G Agashe & Ors)	Benefit of G.R.	For Hearing	
23	OA557/22 with	P'bhani Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Anil K Jondhale & Ors)	Benefit of G.R.	For Hearing	

24	OA558/22 With	P'bhani Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Rangnath R Jadhav & Ors)	Benefit of G.R.	For Hearing	16.10.2023
25	OA559/22	Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Pramilabai B Deshmukh)	Benefit of G.R.	For Hearing	
26	OA560/22 with	P'bhani	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Maroti R Sable & Ors.)	Benefit of G.R./ Regularisation	For Hearing	16.10.2023
27	OA561/22 with	Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Gopalrao V Tompe & Ors)	Benefit of G.R.	For Hearing	
28	OA562/22 with	P'bhani Hingoli	Adv.Vivek G Pingle/ Adv.R.L. Chintalwar (Shantabai B Thombre)	Benefit of G.R.	For Hearing	
29	OA563/22 with	Hingoli	Adv.P.M. Shinde / Adv.P.B. Jadhav (Baban B Thoke)	Benefit of Permanency/ Regularisation	For Hearing	
30	OA564/22 with	Hingoli	Adv.P.M. Shinde/ Adv.P.B. Jadhav (Ramrao M Pole & Ors.)	Benefit of Permanency/ Regularisation	For Hearing	
31	OA565/22 with	Hingoli	Adv.P.M. Shinde/ Adv.P.B. Jadhav (Shesherao R Rathod & Ors.)	Benefit of G.R./ Regularisation	For Hearing	
32	OA566/22	Hingoli	Adv.P.M. Shinde/ Adv.P.B. Jadhav (Shesherao L Rathod & Ors.)	Benefit of Permanency/ Regularisation	For Hearing	
33	OA1110/22	Hingoli	Adv.V.G. Pingle (Sahebrao C Shinde & Ors)	Benefits of G.R.	For Admission	
34	OA44/21	P'bhani	Adv.Vivek G Pingle (Sugam B Rathod & Ors.)	Benefit as per G.R./ Regularisation		
35	OA977/22	A'bad	Adv.V.B. Wagh (Sheshrao K Chabukswar)	Extend the Benefits/ Equal Pay For Equal Works	For Hearing	
36	OA1032/22	J'gaon	Adv.A.M. Hajare (Bismilla D Tadvi)	Pensionery Benefits	For Hearing Reply Filed by Respondent	16.10.2023
37	OA406/23	Jalna	Adv.Mukund R Kulkarni (Narayan D Napte)	Transfer	For Hearing Reply Filed by R-2	6.10.2023

38	OA487/23	Latur	Adv.A.S. Karlekar (Prashant S Auti) <u>Adv.Avinash R Borulkar for R.No.3</u>	Correction in Date of Birth	For Hearing Reply Filed by R-1 to R-3	disposed
39	OA497/23	A'nagar	Adv.D.T. Devane (Ravindra P Sathe)	Transfer	For Hearing Reply Filed by R-1	20.9.2023
40	OA530/23	A'bad	Adv.K.B. Jadhav (Manjusha M Mutha)	Transfer	Reply Filed by Respondent	13.9.2023
40A	OA762/23	Beed	Adv.S.D. Joshi (Dr. Suryakant A Sable)	Suspension	For Hearing Reply Filed by R-1 to R-4	12.9.2023
Final Hearing Matters						
41	OA611/17	Latur	Adv.S.D. Dhongde (Nagnath G Jadhav)	Deem Date Promotion	Hon'ble High Court Bench at A'bad OA Remanded back for Fresh Decision in WP4572/19, 30.09.2022	20.9.2023
42	OA656/18	Latur	Adv.Preeti R Wankhade (Dr. Sunil D Dhumal)	Regularisation	Reply Filed by R-1 to R-3	3.10.2023
43	OA830/18	Dhule	Adv.Shamsunder B Patil (Shailendra H Mali) <u>Adv.M.V. Bhamre for R.No.5</u>	Kotwal	Reply filed by R-3 to R-5	25.9.2023
44	OA921/18	A'bad	Adv.V.G. Salgare (Shriram B Jadhav)	Refund the Amount	Reply Filed by R-1 to R-4	10.10.2023
45	OA922/18	J'gaon	Adv.V.G. Salgare (Hansraj M Pawar)	Refund the Amount	Reply Filed by R-1 to R-4	10.10.2023
46	OA923/18	J'gaon	Adv.V.G. Salgare (Shivaji M Shelke) <u>Adv.Anuradha Mandri for R.No.4</u>	Refund the Amount	Reply Filed by R-1 to R-4	10.10.2023
47	OA924/18	J'gaon	Adv.V.G. Salare (Dhananjay P Patil)	Refund the Amount	Reply Filed by R-1 to R-4	10.10.2023
48	OA102/19	J'gaon	Adv.R.P. Bhumkar/ Adv.V.V. Gujar (Vishvas S Thore) <u>Adv.S.D. Dhongde For R.Nos. 2 & 3</u>	Time Bound Promotion/ ACPS	Reply Filed by R-1 to R-3	27.9.2023
49	OA208/19	P'bhani	Adv.R.P. Bhumkar/ Adv.V.V. Gujar (Bhaskar P Dole & Ors.) <u>Adv.Nandkishor U Yadav for R.No.4</u>	Time Bound Promotion/ ACPS/ Benefit as Per G.R.	Reply Filed by R-1 to R-4	27.9.2023
50	OA416/19	O'bad	Adv.R.P. Bhumkar (Arjun M Maskar & Ors.) <u>Adv.S.D. Dhongde for R.Nos.2 & 3</u>	Time Bound Promotion/ ACPS/ Higher Pay Scale/ Benefit as per G.R.	Reply Filed by R-1 to R-2	27.9.2023
51	OA907/19	Hingoli	Adv.J.S. Deshmukh (Dr.Namdeo V Korde) <u>Adv.C.V. Dharurkar for R.No.6</u>	Posting	Reply Filed by R-6	4.10.2023

52	OA211/20	A'bad	Adv.M.S. Taur (Nilesh B Dighe)	Transfer	Reply Filed by R-2	4.10.2023
53	OA542/20	A'nagar	Adv.Avinash S Deshmukh (Rajaram S Shendge)	Suspension	Reply Filed by R-1	4.10.2023
54	OA115/21	Latur	Adv.R. K. Khandelwal (Kadubai S Gaikwad)	Correction in Date of Birth	Reply Filed by R-1 to R-4	18.9.2023
55	OA172/21	A'nagar	Adv.V.B. Wagh (Baliram S Pandule)	Show cause Notice	Reply Filed by Respondent	29.9.2023
56	OA26/22	Latur	Adv.Shamsunder B Patil (Dr. Eknath D Male)	Transfer	Reply Filed by R-1 to R-3	4.10.2023
57	OA482/22	J'gaon	Adv.S.R. Patil (Ganesh V Patil)	Suspension	Reply Filed by R-1 to R-4	6.10.2023
58	OA484/22	N'bar	Adv.S.U. Chaudhari (Jayendra P Ahire)	Transfer	Reply Filed by R-1	6.10.2023

S.B. Compassionate Appointment Substitution Matters

Date: -11/09/2023

Time : 03:00 P.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA01/20	Nanded	Adv Mujahed Hussain (Seema S Dalavi & Ors.)	Compassionate Appointment	Reply Filed By R- 1, R,3 & R-4 & For Filing Affidavit in Rejoinder	15.9.2023
2	OA570/21	Nanded	Adv.C.R. Thorat (Shivkumar B Chamkure)	Compassionate Appointment	For Hearing Reply Filed by R-1, R-2 & R-4	15.9.2023
3	OA781/21	Beed	Adv.A.R. Tapse/ Adv.S.S. Deogude (Afroz Khan Karim Khan)	Compassionate Appointment	For Admission Reply Filed by R-2 & R-3	15.9.2023
4	OA603/22	A'bad	Adv.S.D. Kotkar (Sachin G Shelke)	Directions/ Compassionate Appointment	For Hearing Reply Filed by R-2	13.9.2023
5	OA970/22	A'bad	Adv.N.P. Bangar (Raju P Korde) <u>Adv.S.B. Mene for R.Nos. 3 to 6</u> <u>Adv.S.B. Mene has Filed Leave Note From 08.09.2023 to 12.09.2023</u>	Directions/ Compassionate Appointment	For Hearing Reply Filed by R-3 to R-6	15.9.2023
6	OA973/22	Nanded	Adv.K.B. Jadhav (Abhijeet G Kamble) <u>Adv.S.B. Mene for R.Nos.2 & 3</u> <u>Adv.S.B. Mene has Filed Leave Note From 08.09.2023 to 12.09.2023</u>	Compassionate Appointment	For Hearing Reply Filed by R-2 & R-3	15.9.2023
7	OA997/22	Dhule	Adv S N Suryawanshi (Rekha D Shinde & Ors.)	Appointment on Compassionate Ground	Reply Filed By R-2 & R-3 & For Filing Affidavit in Reply	
8	OA1144/22	Nanded	Adv.R.I. Wakade (Ritesh C Kamble)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-5	14.9.2023
9	OA1154/22	A'bad	Adv Mohit R Deshmukh (Mangesh R Kale & Ors.)	Compassionate Appointment	Reply Filed By R-1 to R-4	15.9.2023

Date: -11/09/2023

S.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA713/22	A'bad	Adv P R Wankhade (Gorakh D Pathade)	Recovery/ Refund of Recoverd	Reply Filed By R-1 R-2 & R-4 & Last Chance For Filing Affidavit in Reply	10.10.2023
2	OA795/22	Latur	Adv V P Golewar (Dr. Vishwanath S Biradar)	Pension & Pensionary Benefits/ Arrears of Salary	By Way of Last Chance For Filing Affidavit in Reply	21.9.2023
3	TA02/23 WP12920/22	Nanded	Adv M V Chatge (Shoba S Muttewar)	Compassionate Appointment	Reply Filed By R-5 to R-6 & For Filing Affidavit in Reply R-1 to R-4	3.10.2023
4	OA57/23	A'nagar	Adv A S Deshpande (Shaikh Mohd Aslam Rahimshamiya)	Pension & Pensionary Benefits	For Filing Affidavit in Reply	29.9.2023
5	OA426/23	A'bad	Adv K B Jadhav (Ginyandeo M Bagul)	Pension & Other Benefits	By way of Last Chance For Filing Affidavit in Reply	11.10.2023
6	OA432/23 With	P'rbn	Adv S D Joshi (Dr. Subhash P Pawar) <u>Adv Ganesh V Mohekar For R-4</u>	Transfer	Await Service R-1 & By way of Last Chance For Filing Affidavit in Reply	18.9.2023
7	MA241/23 In OA436/23	P'rbn	Adv Poonam Bodkhe (Dr. Subhash P Pawar)	M.A For Amendment in OA	Notice Not Collected	18.9.2023
8	OA433/23	N'bar	Adv S D Joshi (Dr. Shivaji J Rathod)	Transfer	By way of Last Chance For Filing Affidavit in Reply	18.9.2023
9	OA511/23	A'bad	Adv O D Mane/ Adv A O Mane (Shankar W Kale)	Interest on Delayed Payment	For Reply	26.9.2023
10	OA519/23	P'rbn	Adv S D Joshi (Dr. Kalidas V Niras) <u>Adv G V Mohekar For R-4</u>	Transfer	By way of Last Chance For Filing Affidavit in Reply	26.9.2023

11	OA520/23	P'rbn	Adv S D Joshi (Dr. Abasaheb A Jadhav) <u>Adv Ganesh V Mohekar For R-4</u>	Transfer	Await Service R-1 & By way of last Chance For Filing Affidavit in Reply R-2 to R-4	26.9.2023
12	OA683/23	Jalgaon	Adv K B Jadhav (Sachin A Gade)	Suspension	By way of Last Chance For Filing Affidavit in Reply <u>Ref Order Dtd. 22.08.2023</u>	29.9.2023
13	OA702/23	Beed	Adv S A Nagarsoge (Pralhad K Ugale & Ors.)	Wages	Await Service	10.10.2023
14	OA794/23	Nanded	Adv Jiwan J Patil (Dattatraya N Shinde)	Suspension	For Reply	29.9.2023
Order Matters						
15	MA102/21 In OAS458/21	A'bad	Adv N P Dube (Ashok N Hire)	M.A For Condonation of Delay	Reply Filed By R-2 & For Filing Affidavit in Rejoinder	3.10.2023
16	MA53/22 In OAS499/22	A'nagar	Adv P S Mantri (Gorakh R Limaji)	M.A For Condonation of Delay	Reply Filed By R-2 & For Filing Affidavit in Reply	4.10.2023
17	MA507/22 In OAS1956/22	Dhule	Adv S M Nannaware (Ashok J Diwan)	M.A For Condonation of Delay	By way of Last Chance For Filing Affidavit in Reply	18.10.2023
18	MA19/23 In OAS602/22	Nanded	Adv C R Thorat (Bharat V Lohane)	M.A For Condonation of Delay	Await Service	18.10.2023
19	MA158/23 In OAS284/23	A'nagar	Adv Joslyn A Menezes (Sandhya P Shinde)	M.A For Condonation of Delay	Await Service	18.10.2023

**ORIGINAL APPLICATION ST. NO.1637/2023
(Dr. Vaijanath Sasatte Vs. State of Maharashtra & Ors.)**

**CORAM : Justice Shri P.R. Bora, Vice Chairman
DATE : 11.09.2023
ORAL ORDER :**

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

2. Remove from the board.

YUK ORAL ORDERS 11.09.2023

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO.1727/2023
(Dr. Balasaheb Nagargoje Vs. State of Maharashtra & Ors.)

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

DATE : 11.09.2023

ORAL ORDER :

Heard Shri M.S.Karad, learned Counsel holding for Shri S.S.Thombre, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Office has raised objection as about not filing the appeal against the order of suspension though such statutory appeal is provided.

3. Learned Counsel for the applicant submits that the order has been passed by the State Government with the approval of the Hon'ble Governor. Learned Counsel submits that if at all any appeal would lie, that would lie before the Hon'ble Governor and when the order is passed by the approval of the Hon'ble Governor requirement of filing the appeal will have to be dispensed with.

4. Learned P.O. submits that when there is a provision in the statute, the applicant is required to file such an appeal before the appropriate authority.

5. After having considered the submissions made on behalf of the parties, it appears to me that there is substance in the contention raised on behalf of the applicant. When the impugned order has been passed with the approval of the Hon'ble Governor, there is no point in asking to file appeal before the said authority. Objection raised by the office, therefore, cannot sustain. O.A., therefore, be registered in accordance with rules and after payment of court fees, if already not paid.

6. After registration of O.A., issue notices to the respondents, returnable on 16-10-2023.

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. ST. NO.1727/2023

(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 16-10-2023.

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

ORIGINAL APPLICATION NO.590/2023
(Rajendra A. Shirsat Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
DATE : 11.09.2023
ORAL ORDER :

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

2. Learned P.O. sought time to file affidavit in reply on behalf of the respondents. Time is granted.
3. S.O. to 29-09-2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.825/2023
(Sonia D. Bagde Vs. State of Maharashtra & Ors.)

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

DATE : 11.09.2023

ORAL ORDER :

Heard Shri Dhananjay Mane, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Counsel seeks leave to add Dr. Rekha Gowardhan Gaikwad (Mudkhedkar) as respondent no.4. Leave as prayed for is granted. Necessary amendment be carried out forthwith.

3. It is the grievance of the applicant that though in the category of SC (Female) she is more meritorious than respondent no.4, she has not been selected and included in the list of recommended candidates and respondent no.4 has been recommended by the Maharashtra Public Service Commission (MPSC). Learned Counsel submits that the applicant has not been selected on the ground that she did not earn the required marks in the interview i.e. 41% marks.

4. Learned Counsel submits that since the present is not the direct recruitment, criteria of 41% minimum marks in the interview could not have been applied by the respondents. It is further contention of the learned Counsel that respondent no.5, who has been recommended by MPSC, does not possess the requisite experience as prescribed in the advertisement. In the circumstances, learned Counsel has prayed for interim relief to restrain the respondents from making appointment of respondent no.5 from the category of SC (Female) on the advertised post.

5. The contentions raised by the applicant are opposed by the learned CPO. Learned CPO has sought time for taking instructions in the matter. Learned CPO has contended that having regard to the objections raised, unless the entire information as well as relevant rules are on record, it may not be possible to reach to any *prima facie* conclusion. Learned CPO in the circumstances has opposed for granting any interim relief in the matter.

6. I have duly considered the submissions made on behalf of the learned Counsel appearing for the

applicant. Prima facie, I am not convinced with the arguments made by the learned Counsel that criteria of 41% marks in the interview is only applicable for the direct recruitment. Learned Counsel is supposed to *prima facie* satisfy that the present applicant was in all respects eligible to be appointed and her opportunity of being appointed is taken away because of some wrong information given by respondent no.5.

7. I am not convinced with the arguments made by the learned Counsel for the applicant in this regard. In the circumstances, I am not inclined to grant any interim relief at this stage. Hence, I deem it appropriate to issue notices to the respondents. Hence, the following order:

ORDER

[i] Issue notices to the respondents, returnable on 05-10-2023.

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

[iii] 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.

[iv] 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.

[v] 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.

[vi] S.O. to 05-10-2023.

[vii] Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.271/2023
(Anil S. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
DATE : 11.09.2023
ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Counsel for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned Counsel for the applicant has tendered extract of the relevant instructions to the candidates as well as copy of the form no.13 and 24. Same are taken on record.

3. Learned CPO has again sought time for filing affidavit in reply. Time is granted as prayed for. It is expected that the reply should cover all necessary material for effective decision in the matter including the instructions which are now produced on record.

4. Learned CPO to positively file affidavit in reply by 18-09-2023 and the matter will be heard on 21-09-2023.

5. S.O. to 21-09-2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 817 OF 2023
(Smt. Vaishali Narendra Kattul Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

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

2. After having gone through the averments in the Original Application and prayers made therein, learned counsel for the applicant was required to explain why he did not avail efficacious remedy and approached this Tribunal directly.

3. Learned counsel appearing for the applicant has explained that on 28.09.2020 itself the immediate superior of the deceased employee had communicated the District Superintendent of Police, Jalna and has also forwarded the necessary certificates and documents. However, there is no further communication from the side of the respondents.

4. Learned C.P.O. submits that the Original Application is filed on the basis of latest representation made by the applicant on

27.07.2023. Learned C.P.O. submits that neither on the basis of the earlier communication dated 28.09.2020 nor the subsequent communication dated 27.07.2023 the Original Application can be entertained.

5. Learned C.P.O. further submits that on the basis of earlier representation the O.A. cannot be entertained since it has not been filed within the period of limitation and it also cannot be entertained on the basis of another representation having regard to bar under Section 20 of Administrative Tribunal Act, 1985.

6. After having considered the contentions and prayers made in the O.A., it appears to me that without going in to technicality of the procedure, the matter requires to be considered on merit as expeditiously as possible. Hence the following order:-

ORDER

- (i) Issue notices to the respondents, returnable on 17.10.2023.
- (ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

- (iii) 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.
- (iv) 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.
- (v) 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.
- (vi) S.O. to 17.10.2023.
- (vii) Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 57 OF 2023
(Shaikh Mohd. Aslam Rahimshamiya Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri A.S. Deshpande, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered the affidavit in reply on behalf of respondent Nos. 1 & 2. The same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 29.09.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORAL ORDERS 11.9.2023 sas

M.A.NO. 507/2022 IN O.A.ST.NO. 1956/2022
(Ashok Jababi Diwan Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Smt. Archana Therokar, learned counsel holding for Shri S.M. Nannaware, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has tendered the affidavit in reply on behalf of respondent Nos. 1 to 4. The same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 18.10.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if he so desires.

VICE CHAIRMAN

ORAL ORDERS 11.9.2023 sas

M.A.NO. 380/2023 IN O.A.ST.NO. 542/2023
(Dr. Kantilal Z. Chaudhari Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Heard Shri S.P. Sirsat, learned counsel holding for Shri N.L. Chaudhari, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue notices to the respondents on application for condonation of delay, returnable on 19.10.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 19.10.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION ST.NO. 1148 OF 2021
(Manoranjan Murlidhar Gatkal Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri Sunil Nimbalkar, learned counsel holding for Shri Amol S. Gandhi, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel appearing for the applicant, S.O. to 03.11.2023.

VICE CHAIRMAN

ORAL ORDERS 11.9.2023 sas

ORIGINAL APPLICATION NO. 497 OF 2023
(Ravindra Prabhakar Sathe Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri D.T. Devane, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. Learned counsel for the applicant has tendered rejoinder affidavit. The same is taken on record and copy thereof has been given to learned P.O.

3. List the matter for hearing on 20.09.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 11.9.2023 sas

C.P.NO. 40 OF 2022 IN O.A.NO. 1082 OF 2019
(Naresh Waman Sakpal Vs. The State of Maharashtra & Ors.)

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

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

DATE : 11.9.2023

ORAL ORDER :

Heard Shri Sunil Nimbalkar, learned counsel holding for Shri Amol S. Gandhi, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel appearing for the applicant on instructions seeks leave to withdraw the present petition. Hence, the following order:-

ORDER

The present Contempt Petition stands disposed of since withdraw without any order as to costs.

VICE CHAIRMAN

ORAL ORDERS 11.9.2023 sas

ORIGINAL APPLICATION NO. 868 OF 2022

(Ramdas Gangadhar Gangadhare Vs. The State of Maharashtra & Ors.)

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

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

DATE : 11.9.2023

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of learned counsel appearing for the applicant, re-issue notice to respondent No.2, returnable on 18.10.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 18.10.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 433 OF 2023
(Dr. Shivaji J. Rathod Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Today when the present matter is taken up for consideration, the learned P.O. has again sought time to file the affidavit in reply. Last chance was already granted to file affidavit in reply. However, in the interest of justice time granted to file affidavit in reply till 26.09.2023. If the reply is not filed on the given date, the matter will be heard without reply of the respondents.

3. S.O. to 26.09.2023. Status quo granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 519 OF 2023
(Dr. Kalidas V. Niras Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities and Shri Ganesh V. Mohekar, learned counsel for respondent No.4, are present.

2. Today when the present matter is taken up for consideration, the learned P.O. and learned counsel appearing for respondent No.4 have again sought time to file the affidavit in reply. Last chance was already granted to file affidavit in reply. However, in the interest of justice time granted to file affidavit in reply till 26.09.2023. If the reply is not filed on the given date, the matter will be heard without reply of the respondents.

3. S.O. to 26.09.2023. Status quo granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 520 OF 2023
(Dr. Abasaheb Ansiram Jadhav Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities and Shri Ganesh V. Mohekar, learned counsel for respondent No.4, are present.

2. Await service of notice upon respondent No.1.
3. Today when the present matter is taken up for consideration, the learned P.O. and learned counsel appearing for respondent No.4 have again sought time to file the affidavit in reply. Last chance was already granted to file affidavit in reply. However, in the interest of justice time granted to file affidavit in reply till 26.09.2023. If the reply is not filed on the given date, the matter will be heard without reply of the respondents.
4. S.O. to 26.09.2023. Status quo granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NOS. 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 1110/2022 AND O.A. NO. 44/2021
(Raghoji Ramji Bele & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Heard S/Shri V.G. Pingle and P.M. Shinde, learned counsel for the respective applicants in respective matters and Shri M.S. Mahajan, learned Chief Presenting officer for the respondent authorities in all these matters.

2. Learned C.P.O. submits that Misc. Applications have been filed in all these matters raising objection as about the jurisdiction of this Tribunal to entertain the present matters. Learned C.P.O. further submits that copies of Misc. Applications will be given to learned counsel for the applicants today itself.

3. If the Misc. Applications are registered, issue notices to the respondents in M.As., returnable on 16.10.2023.

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

//2// O.A.550/22 & Ors.

5. 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.
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. Applicants are directed to file affidavit of compliance and notice.
8. Learned counsel for the applicants in O.A.s/ respondents in M.As. seeks four weeks time to file reply to Misc. Applications. Time granted.
9. S.O. to 16.10.2023.
10. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 795 OF 2022
(Dr. Vishwanath S. Biradar Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri V.P. Golewar, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. submits that para-wise reply has already been forwarded and within ten days the reply will be filed before this Tribunal. The request is opposed by learned counsel appearing for the applicant stating that ample opportunities are already availed. Last chance was already granted for filing reply. However, in the interest of justice, time granted till 21.09.2023. If the reply is not filed on the given date, the matter will be heard without reply of the respondents.

3. S.O. to 21.09.2023.

VICE CHAIRMAN

M.A.NO. 158/2023 IN O.A.ST.NO. 284/2023
(Sandhya P. Shinde Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Heard Shri Sujit Varma, learned counsel holding for Shri Joslyn A. Menezes, learned counsel for the applicant and Smt. Deedpali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel appearing for the applicant, re-issue notices to respondents on application for condonation of delay, returnable on 18.10.2023.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 18.10.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 702 OF 2023
(Pralhad Khandu Ugale & Ors. Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri S.A. Nagarsoge, learned counsel for the applicants (**absent**). Shri D.R. Patil, learned counsel for the respondent authorities and Smt. Jayshree Gite, learned counsel for respondent No.9, are present.

2. Await service of notice upon the respondents.
3. At the request of learned counsel appearing for respondent No.9 i.e. Chief Executive Officer, Zilla Parishad, Aurangabad, time granted for filing affidavit in reply.
4. S.O. to 10.10.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 683 OF 2023
(Sachin Ashok Gade Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Smt. Rutuja Kulkarni, learned counsel holding for Shri K.B. Jadhav, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. has sought time to file affidavit in reply. Last chance was granted till today in spite of that the reply has not been filed. List the matter for hearing. If the reply is filed on the date of hearing, by consent of learned counsel for the applicant it will be taken on record and considered or else the matter will be heard without reply of the respondents.

3. S.O. to 29.09.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 511 OF 2023
(Shankar Walmik Kale Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri O.D. Mane, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply by way of last chance.
3. Learned P.O. has tendered the communication received to the office of learned C.P.O. from the Treasury Office, Aurangabad annexed with certain documents. The same is taken on record and copy of it is given to learned counsel appearing for the applicant.
4. S.O. to 26.09.2023.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 611 OF 2017
(Nagnath Gyanba Jadhav Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel holding for Shri S.D. Dhongde, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel appearing for the applicant, S.O. to 20.09.2023.

VICE CHAIRMAN

ORAL ORDERS 11.9.2023 sas

ORIGINAL APPLICATION NO. 426 OF 2023
(Ginyandeo Mahadu Bagul Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply till 11.10.2023. If the reply is not filed on the given date the matter will be heard without reply of the respondents.

3. S.O. to 11.10.2023.

VICE CHAIRMAN

ORAL ORDERS 11.9.2023 sas

ORIGINAL APPLICATION NO. 762 OF 2023
(Dr. Suryakant A. Sable Vs. The State of Maharashtra & Ors.)

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

DATE : 11.9.2023

ORAL ORDER :

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

2. S.O. to 12.09.2023 for hearing. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 11.9.2023 sas

DATE : 08.09.2023

ORIGINAL APPLICATION NO. 827 OF 2023

(Shashikant N. Deulgaonkar Vs. The State of Maha. & Ors.)

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

1. Shri R.P. Bhumkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on **04.10.2023**. The case be listed for admission hearing on **04.10.2023**.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

**O.A. 432/2023 With M.A. 241/2023 IN O.A.436/2023
(Dr. Subhash P. Pawar Vs. the state of Maharashtra & Ors.)**

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

DATE : 11.09.2023

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicant in O.A.No. 432/2023, Ms. Poonam Bodke Patil, learned counsel for the applicant in M.A.No. 241/2023 in O.A.No. 436/2023, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities in both these matters and Shri Ganesh V. Mohekar, learned counsel for the respondent No.4 in O.A. No. 432/2023, are present.

2. At the request made on behalf of the respondents, time granted to file affidavit in reply by way of final chance.

3. S.O. to 18.09.2023. Status quo granted earlier in O.A. No. 432/2023 to continue till then.

VICE CHAIRMAN

M.A. NO. 395/2023 IN O.A.NO. 778/2023
(Nitin Arjun Jadhav & Ors. Vs. State of Maharashtra & Ors.)

M.A. NO. 396/2023 IN O.A.NO. 778/2023
(Ravikiran D. Sonawane & Ors. Vs. State of Maharashtra & Ors.)

M.A. NO. 404/2023 IN O.A.NO. 778/2023
(Bhushan M. Bhamare Vs. State of Maharashtra & Ors.)

ORIGINAL APPLICATION NO. 778/2023
(Vitthal G. Shinde & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Justice Shri P.R. Bora, Vice Chairman**
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **11.09.2023**

ORAL ORDER :

Heard Shri Avinash S. Khedkar, learned counsel for the applicants in M.A. Nos. 395 & 396 both of 2023, Shri M.K. Bhosale, learned counsel for the applicant in M.A. 404/2023 (respondent No. 19 in O.A.), Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri Avinash S. Deshmukh, learned counsel for the applicants in O.A. and Shri Ganesh Darandale, learned counsel for respondent Nos. 7,12, 24 & 32 in O.A.

2. Learned counsel for the applicants in O.A. has filed affidavit in reply in M.As. Nos. 395 & 396 both of 2023. Same are taken on record and copies thereof are given to the other sides.

3. Learned counsel for respondent No. 19 (applicant in M.A. 404/2023) in O.A. filed affidavit in reply in O.A. Same is taken on record and copy of the same is given to the other sides.

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4. Today the arguments are extensively heard on the M.As. filed by some of the respondents. In the present matter, the MPSC has not yet filed affidavit in reply and the Government has also not filed affidavit in reply. Insofar as policy matters are concerned, the statement shall be made either by MPSC or by the State Government.

5. Learned C.P.O. submits that in any case, the affidavit in reply will be filed on 20.09.2023 and the matter can be heard on the said date.

6. On the query made by the Tribunal as to when the appointments are likely to be made, it is informed that for issuance of appointment order more 15 days' time may yet be required. If the parties co-operate, the present O.A. can be finally disposed of with consent of all the parties even sitting signally having regard to the urgency in the matter. The present matter, therefore, stands adjourned to 20.09.2023.

7. S.O. to 20.09.2023 at **3.00 pm.** Interim relief granted earlier in O.A. to continue till then.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 603 OF 2022
(Sachin G. Shelke Vs. State of Maharashtra & Ors.)**

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

DATE : 11.09.2023

ORAL ORDER :

Shri S.D. Kotkar, learned counsel for the applicant (**Absent**).

Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, is present.

2. As none present for the applicant, S.O. to 13.09.2023 at **3.00 pm**.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 487/2023
(Prashant Shantirappa Auti Vs. State of Maharashtra & Ors.)

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

DATE : 11.09.2023

ORAL ORDER :

Heard Shri Akshay S. Karlekar, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Avinash R. Borulkar, learned counsel for respondent no. 3.

2. When the present Original Application is taken up for consideration, the learned counsel for the applicant pointed out that in para 11 of the affidavit in reply submitted on behalf of respondent nos. 1 & 2, it has been stated that the application for correction in date of birth was filed by the applicant within the stipulated period. Learned counsel further pointed out that the respondents have also stated further that the said proposal is under active consideration of the Government.

3. In view of the averments so made in the reply, the learned counsel for the applicant has prayed for disposing of the present Original Application by

giving directions to the respondents to decide the application of the applicant on the basis of the settled norms within a particular timeframe.

4. Municipal Council, AUSA (respondent no. 3) has also filed its affidavit in reply. Shri Borulkar, learned counsel appearing for Municipal Council submitted that in the Municipal record birth of one male child born to Smt. Gangabai Shantirappa Auti is recorded on 11.11.1968 and based on the said entry, birth certificate is issued in favour of the applicant. Learned counsel further pointed out that the Municipal Council has filed on record the relevant extracts of Birth and Death Register as maintained by the Municipal Council, AUSA of the period July, 1967 and November, 1968.

5. Learned C.P.O. appearing for respondent nos. 1 & 2 and learned counsel for respondent no. 3 submitted for passing appropriate order.

6. In para 11 of their affidavit in reply the respondent Nos. 1 and 2 have stated thus :-

“11. As regards to the contents of para No. 7(XI) of the Original Application, I say and submit that the applicant has applied for correction of his date of birth within 5 years from his appointment date in Government Services. The applicant date of birth is recorded in service book as per his SSC Board Certificate submitted by him while joining the service. That, the applicant has submitted Birth Certificate given by Municipal Council, AUSA, District Latur for correction in his date of birth. Accordingly, the proposal for correction in date of birth of applicant is under consideration of Government and presently submitted to General Administration Department for their remark on 31.07.2023.”

7. In view of the averments taken as above by the respondent Nos. 1 and 2 in their affidavit in reply, the present Original Application can be disposed of as has been prayed for by the learned counsel for the applicant. Hence, the following order :-

ORDER

(i) Respondent Nos. 1 and 2 are directed to decide the application of the applicant for correction in his

::-4-::

O.A. NO. 487/2023

date of birth in the service record within 8 weeks from the date of this order.

(ii) The Original Application stands disposed of in the aforesaid term. There shall be no order as to costs.

VICE CHAIRMAN

O.A. NO. 907/2022
(Shri Ajay S. Rathod & Ors. Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 908/2022
(Shri Chandrakant K. Sanap & Ors. Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 909/2022
(Shri Rahul Y. Pawal & Ors. Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 910/2022
(Shri Pankaj R. Rathod & Ors. Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 911/2022
(Shri Dipak D. Sanap & Ors. Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 986/2022
(Shri Avinash A. Rakh Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 998/2022
(Shri Hanuman A. Baglane Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 1054/2022
(Shri Yogesh A. Bangar & Ors. Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 1076/2022
(Shri Dnyaneshwar V. Parjane & Ors. Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 167/2022
(Shri Kailas B. Shinde Vs. State of Maharashtra & Ors.)

::-2-::

WITH

O.A. NO. 985/2022

(Shri Vitthal H. Wanve Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 1077/2022

(Shri Ganesh D. Nagargoje & Ors. Vs. State of Maharashtra & Ors.)

WITH

O.A. NO. 1078/2022

(Shri Vikas N. Khedkar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 11.09.2023

ORAL ORDER :

Heard Shri M.S. Karad, learned counsel for the applicants in all these matters and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of learned counsel for the applicants, issue fresh notice to respondents, returnable on 17.10.2022.

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.

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

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

7. S.O. to 17.10.2022.

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

VICE CHAIRMAN

**O.A. Nos. 658, 659, 660, 661, 182, 183, 184,
185, 186, 187, 391, 428, 429 all of 2022**
(Sayyed Taufik Harun & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Justice Shri P.R. Bora, Vice Chairman
DATE : 11.9.2023

ORAL ORDER :

Shri M.S. Karad, learned Advocate for the applicants in all these O.As. and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all these O.As., are present.

2. Learned counsel has tendered across the bar the rejoinder affidavits of applicants in all these matters. The same are taken on record and copies thereof are supplied to other side.
3. S.O. to 16.10.2023 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 532 OF 2023
(Prashant Chokhaji Nikalje Vs. State of Maharashtra & Ors.)

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

DATE : 11.09.2023

ORAL ORDER :

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

2. The grievance of the applicant is that without considering the choices / preferences recorded by him and instated of giving him posting at any one of the said 10 places, the respondents have transferred him at some other place, which is inconvenient for him.

3. Learned counsel appearing for the applicant submitted that in fact the applicant was not due for transfer. He has completed only 4 years of his tenure at the existing place and as such also he was having every right to be on the existing post for next 2 years. Learned counsel further submitted that when the applicant has recorded 10 options and all these posts were lying vacant, the respondents have not explained as to why instead of transferring the

applicant in any one of the said place, he has been transferred at the other place. Learned counsel submitted that the place to which the applicant has been transferred is 100 kms. away from Khultabad. Learned counsel submitted that daughter of the applicant is suffering from physical impairment and she requires regular treatment. For the said purpose the applicant needs to frequently take her at Aurangabad. Learned counsel submitted that in such circumstances, the representation submitted by the applicant later on bringing out to the notice of the respondents the difficulties faced by the applicant, must have been considered by the respondents. Learned counsel in the circumstances, prayed for setting aside the impugned order and sought direction against the respondents to give posting to the applicant at any one of the place of his choice as recorded by him at the time of Annual General Transfers.

4. The contentions raised and prayers made in the O.A. are resisted by respondent Nos. 1 to 3 by filing their affidavit in reply. The respondent Nos. 1 to 3 in their joint affidavit in reply have denied the

allegations made by the applicant. The respondents have contended that considering the administrative need and the recommendations of Civil Services Board, the impugned order of transfer has been issued against the applicant.

5. Learned P.O. reiterated the contentions raised in the affidavit in reply. He submitted that no case is made out by the applicant so as to cause interference in the impugned order. Learned P.O. submitted that the Government employee cannot insist for his transfer at a particular place when his services are transferable. Learned P.O. further submitted that it is not the case even of the applicant, that there was any mala-fide intention in not considering the request of the applicant. The respondents in the circumstances have prayed for rejection of the application.

6. I have duly considered the submissions made on behalf of the applicant and respondents. At the outset it has to be stated that the Government employee cannot insist for his transfer or posting at a particular post or at a particular place. The options are invited for convenience of both the

applicant, as well as, the administration. However, it doesn't mean that the Government employee cannot be transferred at place other than the places for which the Government employee has recorded his options / preferences. Flexibility has to be left to the administrative authorities to take a decision in the matter of transfer. It is well settled that unless there is any violation of transfer guidelines or a case is made out for attributing mala-fides to such transfer, the Courts or Tribunals shall not interfere in the orders of transfer. In the instant matter, the applicant has failed to make out any such ground for grant of any interim relief as prayed by him. The Civil Services Board, which is the competent body constituted for the purpose of recommending the transfers and postings of the Government servants has recommended the transfer of the present applicant and accordingly, at said place the applicant has been transferred. In the circumstances, I see no reason to cause any interference in the impugned order.

7. At this juncture, it is submitted by learned counsel for the applicant that during pendency of

//5// O.A. No. 532/2023

the present Original Application, the applicant has made a representation bringing to the notice of the authorities that some posts are yet vacant for which the applicant had given option and has prayed for modifying his transfer order to that extent. If this be so, the respondents are not precluded from considering the request of the applicant on its own merit.

8. With the observations as above, the Original Application stands disposed of without any order as to costs.

VICE CHAIRMAN