

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

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

**Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)**

**And**

**THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)**

**Date: -11/04/2023**

<b>Due Admission Matters</b>						
<b>19</b>	OA650/18	Hingoli	Adv.S.D. Dhongde (Shivaji R Phalegaonkar)	Promotion/ Seniority	For Hearing Reply Filed by R-3	03.07.2023
<b>20</b>	OA313/19	Dhule	Adv.Chaintanya C Deshpande (Dr.Mahendra A Patil)	Reinstate in Service	For Hearing Reply Filed by R-2	05.06.2023
<b>21</b>	OA685/19	N'bar	Adv.S.D. Joshi (Shivaji R Thakare)	Departmental Enquiry/ Recovery	For Hearing Reply Filed by R-3	05.06.2023
<b>22</b>	OA724/19	O'bad	Adv.Ajay S Deshpande (Kailas I Khandagale & Ors.)	Selection/ Appointment	For Hearing	06.06.2023
<b>23</b>	OA934/19	A'bad	Adv.A.S. Deshmukh (Madhukar K Shingade)	Promotion	For Hearing Reply Filed by R-1 & R-2	06.06.2023
<b>24</b>	OA944/19	O'bad	Adv.Shamsunder B Patil (Dr. Anita A Kadam)	Voluntary Retirement/ Extraordinary Leave	For Hearing Reply Filed by R-1 to R-4	09.06.2023
<b>25</b>	OA987/19	Jalna	Adv.M.R. Wagh (Bhimrao B Shrishipurkar)	Challenging Recruitment Rules	For Hearing Reply Filed by R-1	09.06.2023
<b>26</b>	OA84/20	J'gaon	Adv.A.D. Sugdare (Chunilal M Yawalkar)	Dismissal From Service	For Hearing Reply Filed by R-1 to R-5	03.05.2023
<b>27</b>	OA77/21	A'bad	Adv V B Wagh (Vishvanath H Mahindrakar & ors)	Reversion	For Hearing Reply Filed by R-1 & R-2	04.05.2023

28	OA148/21	A'nagar	Adv.V.B. Wagh (Dattaram U Rathod)	Departmental Enquiry (Vishakha Committee)	For Hearing Reply Filed by R-1 & R-2	13.06.2023
29	OA252/21	A'bad	Adv.S.B. Kakade (Arati A Ghatkar)	Selection/ Appointment	For Hearing Reply Filed by R-1 to R-3	19.06.2023
30	OA482/21	J'gaon	Adv.Harshal P Randhir (Kishor U Chaudhari) <b><u>Adv.Sunita D Shelke for R.Nos.4 &amp; 5</u></b>	Seniority List	For Hearing Reply Filed by R-4 & R-5	20.06.2023
31	OA598/21	J'gaon	Adv.S.D. Dhongde (Bramhdev M Latpate)	Departmental Exam	For Hearing Reply Filed by R-1 to R-5	26.04.2023
32	OA82/22	A'bad	Adv.V.B. Wagh (Dattaram U Rathod)	Departmental Enquiry	For Hearing	07.06.2023
33	OA149/22	A'nagar	Adv.V.B. Wagh (Sulochana P Patare)	Departmental Enquiry/ Promotion	For Hearing Reply Filed by Respondents	20.06.2023
34	OA162/22	J'gaon	Adv.Maheshkumar S Sonawane (Gopal P Patil)	Selection Process	For Hearing Reply Filed by R-2	22.06.2023
35	OA190/22	A'bad	Adv.Ajay S Deshpande (Devendra S Gunday)	Re-appointment	For Admission Reply Filed by R-2 & R-3	22.06.2023
36	OA209/22	Latur	Adv.C.V. Dharurkar (Renuka V Saudagar & Ors.)	Recruitment	For Hearing	22.06.2023
37	OA390/22	Nanded	Adv.Rahul R Karpe (Rajdeepsingh G Sardar)	Promotion	For Hearing Reply Filed by R-1 to R-3	03.05.2023
38	OA394/22	Jalna	Adv.S.B. Jadhav (Heena Chand Patel)	Selection Process/ Appointment	For Hearing Reply Filed by R-1 & R-2	26.04.2023
<b>Final Hearing Matters</b>						
39	OA177/17	A'bad	Adv.Avinash S Deshmukh (Anand V Ganjewar)	Reversion/ Cancellation of Promotion	Reply Filed by R-1 & R-2	22.06.2023

40	OA12/18	O'bad	Adv.P.R. Kadam/ Adv.M.P. Tripathi (Khandu T Chavan)	Appointment	Reply Filed by R-2	22.06.2023
41	OA184/18	A'bad	Adv.Vishwas B Wagh (Swamidas V Chobe)	Departmental Enquiry	Reply Filed by R-1	23.06.2023
42	OA212/18 With	Jalna	Adv.Preeti R Wankhade (Ashok G Labde)	Promotion	Reply Filed by R-2	23.06.2023
43	OA214/18 With	Jalna	Adv.Preeti R Wankhade (Eknath L Bhojne)	Promotion	Reply Filed by R-2	23.06.2023
44	OA215/18	Jalna	Adv.Preeti R Wankhade (Vishnu U Puri)	Promotion	Reply Filed by R-2	23.06.2023
45	OA285/18	A'bad	Adv.Avinash S Deshmukh (Meera J Dolas)	Selection/ Appointment	Reply Filed by R-1 & R-2	22.06.2023
46	OA399/18	A'bad	Adv.Santosh S Dambe (Kantilal K Golwal)	Termination	Reply filed by R-1 to R-3	22.06.2023
47	OA805/18 With	A'bad	Adv.N.R. Thorat (Nagorao V Karbhari) <b><u>Adv.R.N. Bharaswadkar for R.Nos.4, 5 &amp; 7</u></b>	Promotion	Reply Filed by R-1 to R-5, R-7	26.06.2023
48	OA806/18	A'bad	Adv.N.R. Thorat (Zumber K Sonawane) <b><u>Adv.Ajay Deshpande for R.No.4</u></b>	Promotion	Reply Filed by R-1 to R-3	26.06.2023
49	OA68/19	Latur	Adv.V.B. Wagh (Dr.Shripati K Shinde)	Challenging G.R.	Reply Filed by R-1 to R-3	26.06.2023
50	OA387/22	A'bad	Adv.Vilas S Janephalkar/ Adv.R.B. More (Ashwini S Jadhav & Ors.)	Appointment	For Reply	03.05.2023

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

*List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Divison Bench*  
Before: - **THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)**

***And***

**THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)**

**Date: -11/04/2023**

**For Reply Board**

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Due Admission Matters</b>						
1	CP5/22 In OA69/20	Beed	Adv B R Kedar (Suresh G Tandale)	Contempt Petition	Last Chance For Filing Affiavit in Reply in R- C.P.	26.04.2023
2	CP14/22 In OA367/19	A'bad	Adv R B Ade (Arvind D Sulakhe)	Contempt Petition	For Filing Affidavit in Reply R- in C.P	21.06.2023
3	CP8/23 In OA960/19	Beed	Adv I D Maniyar (Govind N Londhe)	Contempt Petition	For Reply	27.04.2023
4	CP9/23 In OA962/19	Beed	Adv I D Maniyar (Devidas M Chandane)	Contempt Petition	For Reply	27.04.2023
5	CP10/23 In OA964/19	Beed	Adv I D Maniyar (Vishal N Jogdand)	Contempt Petition	For Reply	27.04.2023
6	CP11/23 In OA963/19	Beed	Adv I D Maniyar (Amol S Kamble)	Contempt Petition	For Reply	27.04.2023
7	OA906/18	O'bad	Adv S D Joshi (Chetan S Ahire)	Appointment	For Filing Affidavit in Rejoinder	09.06.2023
8	OA397/19	A'bad	Adv V.B.Wagh (Shilpa J.Ingale)	Challenging G.R.	Reply Filed By R- 1 to R-3	09.06.2023

9	OA631/19 With	Beed	Adv Rahul D Khadap (Dilip V Kadam)	Termination (Nominne of Freedom Fighter)	One More Last Chance For Filing Affidavit in Reply For R- 1 to R-4	26.04.2023
10	OA677/19 With	A'bad	Adv S S Thombre (Trimbak S Chavan)	Termination (Nominne of Freedom Fighter)	Reply Filed By R- 1to R- 4	26.04.2023
11	OA714/19	Beed	Adv Rahul D Khadap (Prakash R Arsul)	Termination (Nominne of Freedom Fighter)	One More Last Chance For Filing Affidavit in Reply For R-1& R- 4	26.04.2023
12	OA492/21	Beed	Adv.V B Wagh (Ganesh K Chate & Ors.)	Seniority List/ Promotion	For Filing Affidavit in Reply <b>Ref Order Dtd</b> <b><u>11.10.2021</u></b>	12.06.2023
13	OA191/22	Hingoli	Adv Vinod M Vibhute (Balu R Nagare)	Seniority List	Await Service of Notice	12.06.2023
14	OA954/22	Hingoli	Adv S S Thombre (Sahebrao S Rathod)	Promotion	Await Service	04.05.2023
15	OA955/22	J'gaon	Adv S S Thombre (Swapnil G Sabale)	Appointment	Await Service	04.05.2023
16	OA629/22	Jalgaon	Adv Ujjwal Patil (Santosh V Deshmukh & Ors.)	Deemed Date of Appointment	For Filing Affidavit in Reply	07.06.2023
<b>Order Matter</b>						
17	MA81/20 In OAS2435/19	Beed	Adv A D Gadekar (Dipali N Kulkarni)	M.A. For Delay Condonation	For Filing Affidavit in Rejoinder	04.07.2023
18		Jalgaon	Adv Suchita Dhongade	MA For Adding	For Filing	15.06.2023

MA526/22 In MA385/22 In OAS1402/22	(Subhash R Mahajan) <b><u>Adv Yogesh Patil For R- 3 in M.A. 385/22</u></b> <b><u>Adv Sunita D Shelke For R- 4 in M.A.385/22</u></b>	Applicants as Party to O.A.St / MA For Delay Condonation	Affidavit in Reply M.A. No.385/22
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Assistant Registrar  
M. A. T. Bench at A' bad

**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: -11/04/2023**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
<b>Regular Admission Matters</b>						
<b>1</b>	OA1087/22	Hingoli	Adv.Ashish B Rajkar (Dipak S Thorat)	Compassionate Appointment		23.06.2023
<b>2</b>	MA164/23 In OAS1467/23	A'bad	Adv.Umesh S Gadsing (Ganesh M Bade)	M.A. For Condonation of Delay	<b>Circulation</b>	07.07.2023
<b>3</b>	OA290/23	A'bad	Adv.K.M. Nagarkar (Popat L Bale)	Absorption	<b>Circulation</b>	03.05.2023
<b>4</b>	OA293/23	Beed	Adv.A.S.Deshmukh (Syed Saleem Syed Yakub)	Deputation	<b>Circulation</b>	02.05.2023
<b>High on Board</b>						
<b>5</b>	OA302/20 with	A'bad	Adv.I.D. Maniyar (Rajesh M Choudhary)	Pay Protection	<b>High on Board For Hearing Reply Filed By R- 1,2,4, &amp; R-5</b>	18.04.2023

6	OA317/20 with	Latur	Adv.I.D. Maniyar (Emam Najir Mirza)	Pay Protection	<b>High on Board</b> For Hearing Reply Filed By R- 1,2,4, & R-5	18.04.2023
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7	OA05/21	A'bad	Adv.I.D. Maniyar (Dr. Kalimoddion Ajij Shaikh)	Pay Protection/ Arrears	<b>High on Board</b> For Hearing Reply Filed By R- 1,2,4, & R-5	18.04.2023
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8	OA.522/21	Beed	Adv.O. D. Mane (Ravindra D. Raut)	Transfer	<b>High on Board</b> Reply Filed By R- 1 & 2	13.04.2023
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**Due Admission Matters**

9	OA993/19	A'nagar	Adv.Vivek Pingle (Dileep R Joshi) <b><u>Adv.S.B. Mene for R.Nos.2 &amp; 3</u></b>	Benefits of G.R.	For Hearing Reply Filed by R-1 to R- 3	16.06.2023
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10	OA994/19	A'nagar	Adv.Vivek G Pingle (Dileep K Thorat) <b><u>Adv.Ajikva S Reddy for R.Nos. 2 &amp; 3</u></b>	Benefits of G.R.	For Hearing Reply Filed by R-1 to R- 3	16.06.2023
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12	OA67/21	Nanded	Adv.S.G. Kulkarni (Prabhakar R Chincholkar) <b><u>Adv.S.B. Patil for sR.Nos.2 &amp; 3</u></b>	Fixation of Pay/ Recovery	Reply Filed by R-1 to R- 3	06.07.2023
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13	OA110/21	Hingoli	Adv.V.B. Wagh (Dr.Namdeo R Pawar)	Continuation	Reply Filed by R-1 to R- 4	18.04.2023
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14	OA407/21	O'bad	Adv.Gaurav L Deshpande (Aziz Immam Shaikh)	Time Bound Promotion/ ACPS/ Recovery/	Reply Filed by R-1 to R- 3	02.05.2023
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15	OA644/21	N'bar	Adv. Suchita A Dhongde (Dilip B Wani)	Benefit of ACPS	Reply Filed by R-3 & Other Respondents	24.04.2023
16	OA676/21	Nanded	Adv.A.B. Rajkar (Navnath J Kachare) <b><u>Adv.A.D. Gadekar for R.Nos.5 &amp; 6</u></b>	Direction/ Benefit of Time Bound Promotion/ ACPS	Reply Filed by R-4 to R- 6	10.07.2023
18	OA74/22	P'bhani	Adv Avinash A Phad (Siddiqui Mohd. Minhaiuddin Mohd. Sardauddin)	Compassionate Appointment	Reply Filed by R-2 & R- 3	21.06.2023
19	OA366/22	Dhule	Adv.K.B. Jadhav (Rahul I Pawar)	Compassionate Appointment	Reply Filed by R-1 & R- 3	23.06.2023
20	OA369/22	J'gaon	Adv.R.P. Bhumkar (Madhukar K Patil)	Benefit of T.B.P./ Deemed Date of Promotion	Reply Filed by R-1 & R- 3	27.04.2023
21	OA438/22	A'nagar	Adv.V.G. Pingle (Sunita S Gaikwad & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R- 3	21.04.2023
22	OA518/22	O'bad	Adv.H.M. Shiakh (Ganesh A Mundhe)	Suspnesion/ Reinstatment	For Hearing Reply Filed by R-1, R-2 & R-4	05.06.2023
23	OA604/22	Beed	Adv.S.S. Tandale (Rahul V Talke)	Suspension	Reply Filed by R-1 & R- 2	19.06.2023
24	OA618/22	Beed	Adv.Avinash S Khedkar (Shivaji M Palepad)	Suspension Period	Reply Filed by R-2	03.05.2023
25	OA859/22	Beed	Adv.B.R. Kedar (Dr. Madhukar D Tandale)	Duty Period/ Salary/ Pension &	Reply Filed by R-1 to R- 4	23.06.2023



				Other Benefits		
26	OA929/22	A'bad	Adv. Harish S Bali (Surekha V Jadhav)	Compassionate Appointment (Lad Page Committee)	For Hearing Reply Filed by R-2	03.05.2023
27	OA983/22	A'bad	Adv.Harish S Bali (Prmod A Gaikwad)	Lad Page Committee Appointment Sweepers	For Hearing Reply Filed by R-2	03.5.2023
28	OA987/22	A'bad	Adv.T.K. Rathod (Fatema Rahim Beg & Ors.)	Arrears of Wages	Reply Filed by R-1 to R- 4	23.06.2023
29	OA989/22	Hingoli	Adv.P.A. Kulkarni (Leelavati P Kamble)	Transfer	For Hearing Reply Filed by R-4 & R- 5	02.05.2023
30	OA1075/22	A'bad	Adv.Anant D Gadekar (Balchand D Tejinkar)	Transfer	For Hearing Reply Filed by R-1	25.04.2023
31	OA79/23	A'nagar	Adv.V.B. Wagh (Satish S Gugale)	Salary	For Hearing Reply Filed by R-1 to R- 3	23.06.2023
32	OA252/23	A'ngar	Adv A S Deshmukh (Balasaheb Y Dhanave)	Transfer	For Hearing	18.04.2023
<b>Order Matter</b>						
33	MA126/19 In OAS534/19	Nanded	Adv.Amol Gandhi (Sachin B Waghmare) <b><u>Adv.S.B. Mene for R.No.2 in OAS534/19</u></b>	M.A. For Condonation of Delay		26.06.2023
34	MA117/20 In OAS320/20	O'bad	Adv.Ganesh J Kore (Pamabai D Wanve)	M.A. For Condonation of Delay	For Hearing Reply Filed by	19.06.2023

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<b>36</b>	MA283/22 In OAS265/22	A'bad	Adv.Ramesh R Imale (Gulab H Imale)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 & R- 3	21.06.2023
<b>37</b>	MA140/23 In MASt540/23 In OA206/19	A'bad	Adv.S.K. Shinde (Amruta R Paralikar)	M.A. For Delay in Restoration of O.A.		27.04.2023
<b>Final Hearing Matters</b>						
<b>38</b>	OA620/18	Beed	Adv.V.M. Maney (Baban D Gadekar)	Pension	Reply Filed by R-1 to R- 3	10.07.2023
<b>39</b>	OA104/19	Dhule	Adv.S.N. Suryawanshi (Shaikh R Shaifoddin)	Salary	Reply Filed by R-2 to R- 4	03.07.2023
<b>40</b>	OA265/19	A'nagar	Adv.Vidhya Taksal/ Adv.Abahy Taksal (Taheer Ali Sayed)	Relieve	Reply Filed by R-1 to R- 3	03.07.2023
<b>41</b>	OA317/19	Dhule	Adv.D.K. Dagadkhair (Mangala D Lasurkar(Died) LRs Purushottam E Joshi)	Interest on Delayed Payments/ Other Pensionary Benefits	Reply Filed by R-3 to R- 5	06.07.2023
<b>42</b>	OA1026/19	Beed	Adv.K.B. Jadhav (Keshav M Soundarmal)	Deemed Date of Promotion	Reply Filed by R-2 & R- 3	07.06.2023
<b>43</b>	OA542/20	A'nagar	Adv.Avinash S Deshmukh	Suspension	Reply Filed by R-1	09.06.2023

			(Rajaram S Shendge)			
44	OA.216/21	A'bad	Adv.D.R. Dagadkhair (Keshav Bhimrao Bhalerao,(died)Lrs, Ekha W/o Keshav Bhalerao)	Directions/ Difference of Wages/ Arrears/ Special Allowances	Reply filed By R.1to3	06.07.20231
45	OA420/21	J'gaon	Adv.S.S. Tandale (Rapsaheb B Jangle)	Suspension/ Reinstatement	Reply Filed by R-1 to R- 3	19.06.2023
46	OA753/21	A'bad	Adv.P.V. Suryawanshi (Shankar P Dhupe & Ors.)	Arrears of Wages	<b><u>For Further Consideratio n</u></b> Reply filed by R-1to R-3	<b><u>13.04.2023</u></b>
47	OA757/21	Nanded	Adv.P.V. Suryawanshi (Jayashri S. Bhokre & Ors.)	Arrears of Wages	<b><u>For Further Consideratio n</u></b> Reply filed by R-1to R-3	<b><u>13.04.2023</u></b>
48	OA761/21	Dhule	Adv.A.S. Deshmukh (Pradeep B Pawar) <b><u>Adv.N.N. Desale for R.No.3</u></b>	Relieve	<b><u>For Further Consideratio n</u></b> Reply filed by R-1to R-3	03.05.2023

Assistant Registrar  
M. A. T. Bench at A' bad

**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 SHRI. P. R .BORA ,VICE CHAIRMAN**

**Date: -11/04/2023**

**For Reply Board**

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject		
<b>Due Admission Matters</b>						
<b>1</b>	OA526/21	Nanded	Adv.Sandeep G Kulkarni (Vilas M Joshi) <b><u>Adv S B Mene For R- 2 &amp; 3</u></b>	Pay Scale/ Recovery	Await Service for R-4 & For Filing Affidavit in Reply For R-1 to R-3 & R-5	30.06.2023
<b>2</b>	OA665/21	A'bad	Adv V B Wagh (Shankar S Kale)	Suspension	For Filing Affidavit in Reply	19.06.2023
<b>3</b>	OA478/22	P'bhani	Adv Shaikh Wajeed Ahmed/ Adv V B Wagh (Deepak A Mudiraj)	Trnasfer	By Way of Last Chance For Filing Affidavit in Reply	19.04.2023
<b>4</b>	OA770/22	A'nagar	Adv V B Wagh (Surendra M Pawar)	Compassionate Appointment	For Filing Affidavit in Reply	21.04.2023
<b>5</b>	OA913/22	A'nagar	Adv Vishwas B Wagh (Varsha V Gaikwad)	Absorption	For Filling Affiavit in Reply	21.06.2023
<b>6</b>	OA961/22	Jalna	AdvAjay S Deshpande (Sunanda S Harsulkar)	Time Bound Promotion/ Pension	For Filing Affidavit in Reply	21.06.2023
<b>7</b>	OA1093/22	Dhule	Adv.Sanket N Suryawanshi (Ashok M Shinde & Ors.) <b><u>Adv Ujwal S Patil For R- 5</u></b>	Counting of Service For Pensionery Benefits	For Reply	21.06.2023

<b>8</b>	OA1111/22	Beed	Adv P V Suryawanshi (Nandkishor A Awile)	Compassionate Appointment	For Reply	23.06.2023
<b>9</b>	OA1113/22	A'bad	Adv A S Deshmukh (Dinesh U Jadhav)	Transfer	For Filing Affidavit in Rejoinder	02.05.2023
<b>10</b>	OA114/23	Beed	Adv H M Shaikh (Gopal D Suryawanshi)	Suspension	For Reply	05.06.2023
<b>11</b>	OA135/23	Beed	Adv Mahendra Gandle (Shesherao B Satpute)	Suspension	Reply Filed By R- 1 to R- 3 & For Filing Affidavit in Rejoinder	02.05.2023
<b>12</b>	OA221/23	A'bad	Adv Dr Kalpantata Patil- Bharaswadkar (Govind Marewad & Ors.)	Increment	Await Service	09.06.2023
<b>Order Matter</b>						
<b>13</b>	MA95/23 In OAS192/23	A'nagar	Adv V B Wagh (Sunita D Jarhad)	MA For Delay Condonation	For Reply	24.04.2023

Assistant Registrar  
M. A. T. Bench at A' bad

**C.P.NO. 41 OF 2022 IN O.A.NO. 260 OF 2021**  
**(Ramrao K. Yadav Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri Vaibhav U. Pawar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. This Contempt Petition is filed alleging the contempt of this Tribunal in respect of order dated 05.08.2022 passed in M.A.No. 322/2022 in O.A.No. 260/2021 whereby it is observed that unless limited departmental examination is held it may not possible for the respondents to effect the promotions.

3. Learned Advocate for the applicant submitted that in view of the said observation, the respondents issued circular dated 28.03.2023 holding on-line examination on 03.04.2023.

4. In view of the same, the contempt alleged in respect of order dated 05.08.2022 in the C.P. is complied with in terms of the said circular dated 28.03.2023. The said circular is taken on record and

//2// C.P.41/2022 In  
O.A.260/2021

marked as document 'X' for the purpose of  
identification.

5. In view of the same, the Contempt Petition  
stands disposed of. No order as to costs.

**MEMBER (J)**

SAS ORAL ORDERS 11.04.2023.

**C.P.NO. 5 OF 2022 IN O.A.NO. 69 OF 2020**  
(Suresh G. Tandale Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 26.04.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 11.04.2023.



**ORIGINAL APPLICATION NO. 629 OF 2022**  
(Santosh V. Deshmukh & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri Ujjwal Patil, learned Advocate for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

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

3. S.O. to 07.06.2023.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 11.04.2023.

**C.P.NO. 26 OF 2023 IN O.A.NO. 76 OF 2019**  
**(Nilesh Subhash Badgujar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri A.R. Dhore, learned Advocate holding for Shri Vijay B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents in C.P., returnable on 19.06.2023.

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 19.06.2023.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 3138 OF 2022**  
(Maroti L. Gore Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri Jayant Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant submits that he will take necessary steps in respect of office objection.

3. The present matter is removed from board.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST.NO. 3139 OF 2022**  
(Maroti L. Gore Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri Jayant Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant submits that he will take necessary steps in respect of office objection.

3. The present matter is removed from board.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 163 / 2023 IN O.A.ST.NO. 614 / 2023**  
(Rahul Sheshrao Chavan & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri V.N. Rathod, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION ST. NO. 614 OF 2023**  
**(Rahul Sheshrao Chavan & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri V.N. Rathod, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notices to the respondents, returnable on 19.06.2023.

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

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

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

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

7. S.O. to 19.06.2023.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 253 OF 2023**  
**(Rakesh Sunil Dabhade Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

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

2. Issue notices to the respondents, returnable on 20.06.2023.

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 20.06.2023.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 276 OF 2023**  
**(Dr. Shivaji G. Mundhe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

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

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

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

4. S.O. to 17.04.2023.

**MEMBER (A)**

**MEMBER (J)**



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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant submits that he will file copy of charge-sheet filed in criminal case by the next date.

3. In view of the same, S.O. to 20.04.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 93 OF 2017 IN O.A.NO. 801 OF 2022**  
(Manjushree B. Deshpande Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri H.A. Joshi, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 06.06.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 11.04.2023.

**ORIGINAL APPLICATION NO. 37 OF 2017**  
(Balasaheb N. Raut & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri S.S. Dambe, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned P.O. for the respondents placed on record the chart of vacancies of the post of Junior Engineer (Mechanical) under letter dated 21.03.2023. It is taken on record and placed at the end of affidavit in reply filed on behalf of the respondents.

3. Learned Advocate for the applicant also placed on record the chart showing vacancies and resolution dated 06.03.1973 in respect of change of designation of Overseers as Junior Engineers. The same are taken on record and paced at last exhibit of O.A.

4. Considering the facts and circumstances, in our considered opinion, G.R. dated 20.03.1997 and 15.10.2009 referred in order dated 06.06.2016 (page

//2//

O.A.37/2017

No. 77 of P.B.) would be necessary to adjudicate this matter.

5. The parties to produce the said two G.Rs. by the next date.

6. S.O.to 24.04.2023 for rehearing. **High on board.**

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 11.04.2023.

**ORIGINAL APPLICATION NO. 77 OF 2021**  
(Vishvanath H. Mahindrakar & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Smt. Vijaya Adkine, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Affidavit in rejoinder filed by the applicants is taken on record and copy thereof has been served on the other side.

3. S.O. to 04.05.2023 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 82 OF 2022**  
(Dattaram U. Rathod Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

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

2. Affidavit in reply filed on behalf of the respondent is taken on record and copy thereof has been served on the other side.

3. The applicant is at liberty to file affidavit in rejoinder, if any.

4. S.O. to 07.06.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

**O.A.NOS. 716, 634, 635 AND 636 ALL OF 2018**  
(Atul N. Shirke & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri S. D. Joshi, learned Advocate for the applicants in all these O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.As.

2. Perusal of the record would show that directions given in farad sheet order dated 23.03.2022 are still not complied with by filing additional affidavit and placing on record necessary information and more particularly additional affidavit as regard circular dated 04.03.1991. It is very sorry state of affairs.

3. Learned C.P.O. for the respondents seeks further time to comply with the said order which is necessary for adjudicating this case.

4. In the interest of justice, last chance is granted to the respondents to comply with the order dated 23.03.2022 by filing additional affidavit in respect of circular dated 04.03.1991 failing which permissible adverse inference may be drawn which would result

//2// O.A. 716/2018 & Ors.

into initiation of some disciplinary action against the concerned which can be avoided by complying direction given by filing additional affidavit.

5. Learned C.P.O. to immediately convey this order for its due compliance.

6. S.O. to 28.04.2023 for rehearing. **High on board.**

7. Steno copy and Hamdast is allowed to learned C.P.O.

**MEMBER (A)**

**MEMBER (J)**



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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri Ajay S. Deshpande, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri Shailendra S. Kulkarni, learned Advocate for the respondent No.4.

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

3. S.O. to 21.04.2023. **High on board.**

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 11.04.2023.

**ORIGINAL APPLICATION NO. 811 OF 2022**  
(The Association of the Ministerial Services of department of  
Agriculture, Maharashtra State, Pune through its General  
Secretary Shri Ashok Kale & Ors. Vs. State of Maharashtra &  
Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Shri A.S. Shelke, learned Advocate for the applicant (**Absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, is present.

2. The present matter has already been treated as part heard.
3. S.O. to 28.04.2023. **High on board.**

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 559 OF 2020**  
(Vishranti B. Giri Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri A.C. Deshpande, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. S.O. to 02.05.2023 for hearing. **High on board.**

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 185/2021 IN O.A.NO. 257/2021**  
(Nanasaheb L. Gaikwad Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

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

2. The present matter be treated as part heard.
3. S.O. to 26.04.2023. **High on board.**
4. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO. 192/2021 IN O.A.NO. 258/2021**  
**(Laxman N. Sormare Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

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

2. The present matter be treated as part heard.
3. S.O. to 26.04.2023. **High on board.**
4. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri Rahul D. Khadap, learned Advocate for the applicants in O.A.No. 631 & 714 of 2019 and for Shri S.S. Thombre, learned Advocate for the applicant in O.A.No. 677/2019 and Shri S.K. Shirse, learned Presenting Officer for the respondents in all these O.A.

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 1 to 4 in O.A.No. 677/2019 and on behalf of respondent Nos. 2 & 3 in O.A.No. 714/2019.

3. Record further shows that in spite of grant of opportunities, affidavit in reply is not filed on behalf of the respondent Nos. 1 to 4 in O.A.No. 631/2019 and on behalf of respondent Nos. 1 & 4 in O.A.No. 714/2019. Hence, the O.A.No. 631/2019 will proceed further without affidavit in reply of the respondent Nos. 1 to 4 and O.A.No. 714/2019 will

//2// O.A.631/19 & Ors.

proceed further without affidavit in reply of respondent Nos. 1 & 4.

4. The applicant is at liberty to file affidavit in rejoinder to the affidavit in reply filed on behalf of respondent Nos. 1 to 4 in O.A.No. 677/2019 and on behalf of respondent No. 2 & 3 in O.A.No. 714/2019.

5. S.O. to 26.04.2023 for hearing.

**MEMBER (A)**

**MEMBER (J)**

SAS ORAL ORDERS 11.04.2023.

**ORIGINAL APPLICATION NO. 49 OF 2015**  
(Dattatray G. Zade Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter is reserved for orders.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 587 OF 2016**  
(Vijaysing H. Bagul Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

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

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

3. S.O. to 27.04.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 629 OF 2016**  
(Shankar S. Waghmare Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

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

2. As per direction given in farad sheet order dated 14.03.2023, learned P.O. placed on record the copy of DPC minutes dated 17.03.2016 together with copy of letter dated 27.04.2016 (wrongly mentioned as letter dated 24.04.2016 in order dated 29.04.2016 (Annexure 'A-1')). The said documents are produced on record as per order dated 29.03.2023. All these documents are taken on record at the end of affidavit in reply filed on behalf of the respondent Nos. 1 & 2 and accordingly pagination is done as page No. 60 onwards.

3. During the course of arguments, we have compared the list of selected candidates mentioned in letter dated 27.04.2016 as against the list of selected candidates as per minutes of DPC meeting

//2//

O.A.629/2026

dated 17.03.2016. We find name of five persons in the list annexed with letter dated 27.04.2016 which were stated to be ineligible on account of disciplinary proceedings pending against them. The names of those five persons are Shri S.M. Khude, Shri M.S. Gaikwad, Shri B.S. Aawari, Shri A.N. Deokar and Shri S.S. Waghmare.

4. In these circumstances, the respondents are directed to produce on record original file pertaining to processing of this matter.

5. The present matter be treated as part heard.

6. S.O. to 20.04.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 312 OF 2015**  
(Dr. Shiwani V. Sachdeva Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, Shri Saket Joshi, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the respondent No.4 and Shri V.B. Wagh, learned Advocate for the respondent No.5.

Shri R.P. Adgaonkar, learned Advocate for the respondent No.6, **absent**.

2. S.O. to 21.04.2023 for final hearing peremptorily.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 655 OF 2016**  
**(Santosh C. Bhadane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Shri D.S. Bagul, learned Advocate for the applicant (**Absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. Record shows that consistently the learned Advocate for the applicant has remained absent though the matter is fixed for final hearing peremptorily. However, today also nobody is appearing on behalf of the applicant. It seems that the applicant is not interested in prosecuting the matter. Hence, the present Original Application stands dismissed in default.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 955 OF 2022**  
(Swapnil Ganesh Sabale Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue fresh notices to the respondents, returnable on 04.05.2023.

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 04.05.2023.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 954 OF 2022**  
**(Sahebrao S. Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri A.V. Thombre, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities.

2. Issue fresh notices to the respondents, returnable on 04.05.2023.

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 04.05.2023.

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

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 84 OF 2020**  
(Chunilal M. Yawalkar Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 03.05.2023 for hearing. **High on board.**

**MEMBER (A)**

**MEMBER (J)**



**C.P.NO. 8 OF 2023 IN O.A.NO. 960 OF 2019**  
(Govind N. Londhe Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Learned P.O. for the respondents placed on record the copy of communication dated 11.04.2023 received to the office of learned C.P.O. seeking four weeks time for filing affidavit in reply in the C.P. The same is taken on record and marked as document 'X' for the purpose of identification.

3. In view of the same, time is granted to the respondents for filing affidavit in reply in C.P.

4. S.O. to 27.04.2023.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO. 9 OF 2023 IN O.A.NO. 962 OF 2019**  
(Devidas M. Chandane Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. Learned P.O. for the respondents placed on record the copy of communication dated 11.04.2023 received to the office of learned C.P.O. seeking four weeks time for filing affidavit in reply in the C.P. The same is taken on record and marked as document 'X' for the purpose of identification.

3. In view of the same, time is granted to the respondents for filing affidavit in reply in C.P.

4. S.O. to 27.04.2023.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO. 10 OF 2023 IN O.A.NO. 964 OF 2019**  
(Vishal N. Jogdand Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Learned P.O. for the respondents placed on record the copy of communication dated 11.04.2023 received to the office of learned C.P.O. seeking four weeks time for filing affidavit in reply in the C.P. The same is taken on record and marked as document 'X' for the purpose of identification.

3. In view of the same, time is granted to the respondents for filing affidavit in reply in C.P.

4. S.O. to 27.04.2023.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO. 11 OF 2023 IN O.A.NO. 963 OF 2019**  
(Amol S. Kamble Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned P.O. for the respondents placed on record the copy of communication dated 11.04.2023 received to the office of learned C.P.O. seeking four weeks time for filing affidavit in reply in the C.P. The same is taken on record and marked as document 'X' for the purpose of identification.

3. In view of the same, time is granted to the respondents for filing affidavit in reply in C.P.

4. S.O. to 27.04.2023.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 685 OF 2019**  
(Shivaji R. Thakare Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**and**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 11.04.2023**

**ORAL ORDER :**

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

2. S.O. to 05.06.2023 for hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**DATE : 11.04.2023**

**ORIGINAL APPLICATION NO. 297 OF 2023**

**(Prashant Bhagwansingh Kachhawa V/s The State of Maharashtra & Ors.)**

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

1. Shri Kiran G. Salunke, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 28.04.2023. The case be listed for admission hearing on **28.04.2023**.
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**

**ORIGINAL APPLICATION NO. 1111/2022**  
**(Shri Nandkishor Awile Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Shri P.V. Suryawanshi, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought time to file the affidavit in reply on behalf of the respondents. Time granted as a last chance.

3. S.O. to 23.6.2023.

**VICE CHAIRMAN**

ARJ ORAL ORDER 11.4.2023

**ORIGINAL APPLICATION NO. 135/2023**  
**(Shri Sheshrao Satpute Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Shri Mahendra Gandle, learned counsel for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent authorities, are present.

2. The learned counsel submits that the applicant is not intending to file any rejoinder affidavit.

3. List the matter for hearing on 2.5.2023.

**VICE CHAIRMAN**

ARJ ORAL ORDER 11.4.2023



**ORIGINAL APPLICATION NO. 1087/2022**  
**(Shri Dipak S. Thorat Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Heard Shri Ashish B. Rajkar, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 23.6.2023.

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 23.6.2023.

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

**VICE CHAIRMAN**

**M.A. NO. 164/2023 IN O.A. ST. NO. 467/2023  
(Shri Ganesh M. Bade Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Heard Shri Umesh S. Gadsing, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents on the application for condonation of delay, returnable on 7.7.2023.

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 7.7.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 290/2023  
(Shri Popat L. Bale Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Heard Shri K.M. Nagarkar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 3.5.2023.

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 3.5.2023.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 293/2023**  
**(Syed Saleem Syed Yakub Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Heard Shri Avinash Deshmukh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Applicant has questioned the order dated 6.4.2023 passed by respondent no. 2, whereby the applicant has been posted on deputation on the post of Junior Engineer in Municipal Administration Department, Collector Office at Jalna. Presently the applicant is working as Jr. Planning Assistant in Nagar Panchayat, Patoda, Dist. Beed. The learned counsel submitted that the applicant is a Class-III employee and has been posted on deputation to work on the post which is a higher post though now downgraded. The learned counsel further submitted that the knowledge and educational qualification required for performing the duties and responsibilities attached to the post to which the applicant has been deputed are not possessed by the applicant. The learned counsel further submitted that having regard to the qualifications possessed by the applicant, he may not be able to discharge the duties of

the post to which he has been deputed. The learned counsel further submitted that the applicant has never given his willingness for such deputation. The learned counsel further submitted that the applicant is on the verge of retirement and hardly 1½ year is left for his retirement.

3. The learned counsel referring to the relevant Government Resolutions submitted that the impugned order is in utter violation of the provisions under the said G.Rs. The learned counsel has referred to G.R. dated 17.12.2016 read with subsequent G.R. dated 16.2.2018, which pertain to the deputation of the Government servants. The learned counsel submitted that having regard to the circumstances as elaborately stated in the Original Application, while issuing notices to the respondents the effect and operation of the impugned order shall be stayed. The learned counsel submitted that in the appointment order itself the relieving clause is inforporatred and as such the respondents may say that the applicant has been relieved, however, no one has been appointed on the post of the applicant. In the circumstances, the prayer for interim relief is pressed by the learned counsel.

4. The learned Presenting Officer has sought time to file the affidavit in reply on behalf of the respondents. The learned Presenting Officer submitted that for want of instructions he is unable to make any submissions as about the facts, which are stated in the Original Application.

5. Having regard to the facts, which are revealed from the pleadings in the Original Application, which are reiterated by the learned counsel in his argument, there appears prima-facie case in favour of the applicant. The applicant has averred on oath in the application that he has never given any consent for going on deputation to any post. He has also stated that before giving him posting on deputation, the willingness of applicant was not even asked for. The applicant has given his date of retirement in the Original Application, which is 31<sup>st</sup> August, 2024, to demonstrate that he is on the verge of retirement. Since no one has been yet appointed on the post of the applicant, there may not be any impediment to direct the respondents for continuing the applicant on the said post till filing of the affidavit in reply by them. In the aforesaid circumstances, the following order is passed :-

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**O.A. NO. 293/2023**

**ORDER**

1. Issue notice to the respondents, returnable on 2.5.2023. **Till then the respondents shall allow the applicant to work on his existing post in Nagar Panchayat, Patoda, Dist. Beed.**

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

3. 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.

4. 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.

5. 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.

6. S.O. to 2.5.2023.

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

**VICE CHAIRMAN**

**O.A. NOS. 302, 317 OF 2020 WITH O.A. NO. 5/2021  
(Shri Rajesh M. Choudhary & Ors. Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Shri I.D. Maniyar, learned counsel for the applicants in all the three matters and Shri M.P. Gude, learned Presenting Officer for the respondent authorities in all the three matters.

2. Arguments are heard. List the matter on 18.4.2023 for any query or else for order. **High on Board.**

**VICE CHAIRMAN**

ARJ ORAL ORDER 11.4.2023



**ORIGINAL APPLICATION NO. 522/2021**  
**(Shri Ravindra D. Raut Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Shri O.D. Mane, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. List the matter on 13.4.2023 for hearing. **High on Board.**

**VICE CHAIRMAN**

ARJ ORAL ORDER 11.4.2023

**ORIGINAL APPLICATION NO. 145/2023**  
**(Shivaji R. Iagas & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Heard Shri R.P. Bhumkar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Not on Board. Taken on Board. One of the applicant i.e. applicant no. 6 namely Shri Gangadhar S/o Anandrao Guthe in the Original Application No. 145/2023 has filed the present pursis thereby praying for allowing him to withdraw his name from array of the applicants in the said application. The pursis is taken on record. The learned counsel has identified the applicant. The applicant is also present before the Tribunal.

3. In view of the written pursis so filed the applicant no. 6 is permitted to withdraw from the present Original Application. The Original Application stands disposed of so far as the applicant no. 6 is concerned. His name be deleted from array of the applicants in the Original Application. The Original Application shall proceed further in regard to other applicants.

4. List the matter on the scheduled date i.e. 14.6.2023.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 478/2022**  
**(Shri Deepak A. Mudiraj Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration the learned Presenting Officer has again sought time to file the affidavit in reply. Due opportunities are already given. The present matter pertains to transfer of the applicant. The learned Presenting Officer submitted that he has communicated to the officers concerned at least on 3-4 occasions, however, no instructions are yet received.

3. This being the matter of transfer and unless the record is produced on record, the legality of the impugned order cannot be decided, I am inclined to give one more opportunity to the respondents to file the affidavit in reply along with all concerned documents. In view of the submission made by the learned P.O. that at least on 3-4 occasions intimation has been given to the concerned officers, but no one has yet turned up to give

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**O.A. NO. 478/2022**

instructions, I deem it appropriate to impose the costs of Rs. 5,000/- each on the officers concerned, who have failed to give instructions to the learned Presenting Officer. It would be open for the Office concerned to recover the amount of costs from the concerned Officer.

4. S.O. to 19.4.2023.

**VICE CHAIRMAN**

**Later on**

In the afternoon session Shri Deokar, learned Presenting Officer has tendered the affidavit in reply. The same is taken on record. In view of the fact that the affidavit in reply is filed, the order insofar as imposition of the costs is concerned, is withdrawn. However, the learned Presenting Officer shall communicate to the Officers concerned displeasure expressed by the Tribunal.

2. S.O. to 19.4.2023 for hearing. It is open for the applicant to file rejoinder, if he so desires.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 761/2021  
(Shri Pradeep B. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri N.N. Desale, learned counsel for respondent no. 3, are present.

2. List the matter on 3.5.2023 for hearing.
3. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ARJ ORAL ORDER 11.4.2023

**ORIGINAL APPLICATION NO. 1113/2022**  
**(Shri Dinesh U. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 11.4.2023**

**ORAL ORDER :**

Shri Avinash S. Deshmukh, 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 S.O. to 2.5.2023 for filing rejoinder affidavit on behalf of the applicant.

3. Interim relief granted earlier to continue till then.

**VICE CHAIRMAN**

ARJ ORAL ORDER 11.4.2023

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

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

**DATE : 11-04-2023**

**ORAL ORDER :**

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

2. Part heard. For further consideration,  
S.O. to 18-04-2023.

**VICE CHAIRMAN**

YUK ORAL ORDER 11.04.2023

**ORIGINAL APPLICATION NO.252/2023**  
**(Balasaheb Dhanave Vs. State of Maharashtra & Ors.)**

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

**DATE : 11-04-2023**

**ORAL ORDER :**

Heard Shri Saket Joshi, learned Counsel holding for Shri A.S.Deshmukh, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities.

2. When the present matter is taken up for consideration, learned P.O. again sought time to file affidavit in reply.

3. Learned Counsel for the applicant invited my attention to the order passed on the earlier date wherein it is mentioned that if the affidavit in reply is not filed, the request for interim relief will be considered by the Tribunal without reply of the respondents. Learned Counsel for the applicant was fair in submitting that he may not have any serious objection for giving one more chance to the respondents for filing their affidavit in reply. Learned Counsel submitted that the only anxiety of the applicant is that presently the post from which the applicant has been transferred is vacant.



Learned Counsel further submitted that in the meanwhile if somebody is appointed on the said post, very purpose of filing the application is likely to be frustrated. In the circumstances, learned Counsel has prayed for direction against the respondents to maintain status quo in regard to the post from which the applicant has been transferred.

4. In view of the above submissions, following order is passed:

ORDER

Time is granted to the respondents to file affidavit in reply till 18-04-2023. **Till then, respondents shall maintain status quo as on today in respect of the post from which the applicant has been transferred vide the impugned order.**

5. S.O. to 18-04-2023.

**VICE CHAIRMAN**

**M.A.NO.35/2022 IN O.A.ST.NO.105/2022**  
**(Om Datta Shinde & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 11-04-2023**

**ORAL ORDER :**

Heard Shri Shamsundar B. Patil, learned Counsel for the applicants and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities.

2. This is an application seeking condonation of delay which has occurred in filing the annexed O.A. by the applicants. In the O.A. the applicants have sought quashment of the order dated 14-08-2008 passed by respondent no.2 whereby it has rejected the claim of the applicant no.2 seeking appointment on compassionate ground for the reason that the deceased was having 3 children at the relevant time, one of which was born after the cut-off date. It is, thus, evident that the delay which has occasioned in filing this O.A. is of the period more than 12 years.

3. Now, it will be useful to see what reasons are given in justification of the said delay. It is contended that the applicant no.2 is a rustic woman and that she has no knowledge about the

Maharashtra Civil Services (Declaration of Small Family) Rules, 2005. It is further contended that there is no deliberate intention of the applicants in challenging the impugned order belatedly. It is further stated that the applicant no.2 has not gained any benefit by filing the application belatedly. Learned Counsel for applicant while advancing his arguments submitted that in so far as the applicant no.1 is concerned, he became major recently and for him there is no delay at all.

4. Learned P.O. has opposed the request so made. Learned P.O. submitted that for huge delay of more than 12 years, the applicants have not submitted any just and sufficient reason so as to condone the said delay. Learned P.O. submitted that very purpose of providing appointment on compassionate ground is to provide some solace to the family members of the Government servant dying in harness. Learned P.O. submitted that family which could survive for such a long period cannot be said to be in need of such appointment on compassionate ground. Learned P.O. further submitted that ignorance of law as well as the poor financial condition cannot be grounds

for condonation of delay. Learned P.O. further submitted that the small family norms are prescribed way back in the year 2003 and the Rules in that regard were made in 2005. Learned P.O. submitted that since third child is born after the cut-off date applicants have no case, even on merits also. He has therefore prayed for rejecting the M.A. for condonation of delay occasioned in filing the annexed O.A.

5. I have duly considered the submissions advanced by the learned Counsel appearing for the applicants and the learned P.O. representing the respondents. It is not in dispute that in the O.A. applicants are challenging the order passed in the year 2008, more particularly, the order dated 14-08-2008. The application submitted by the applicant no.2 at the relevant time was rejected on the ground that the deceased was having 3 children, one of which was born after the cut-off date. Said order is challenged by the applicant in the year 2022 i.e. about 14 years thereafter. Even if the period of one year is excluded, the delay appears to be of 13 years.

6. It need not be stated that concept and scheme of appointment on compassionate ground was brought in the statute having considered the precarious condition of the family members of the deceased Government servants dying in harness while in service. The applicants did not approach this Tribunal immediately after rejection of their request and took more than 13 years in approaching the Tribunal which is indicative of the fact that there was no issue of survival before these applicants during the entire said period.

7. Hon'ble Apex Court in the case of **Umesh Kumar Nagpal V/s. State of Haryana, [(1994) 4 SCC 138]**, has observed that object of granting compassionate appointment being to enable the family to get over the financial crisis which it faces at the time of the death of the sole bread winner, compassionate employment cannot be claimed and offered, after lapse of considerable amount of time and after crisis is overcome. In the present matter, the applicant no.2 has approached this Tribunal after long 13 years challenging the order dated 14-08-2008 whereby her application for appointment

on compassionate ground was rejected by the respondents. In view of the observations made by the Hon'ble Apex Court in the case of **Umesh Kumar Nagpal** referred to hereinabove, the inordinate delay of 13 years committed by the applicant in challenging the impugned order leads to an inference that the financial crisis, if any, after the death of the Government servant is not subsisting.

8. In so far as the applicant no.1 is concerned, in fact, he cannot even apply for the appointment on compassionate ground for two reasons; first that, previously his mother i.e. applicant no.2 had applied for the said appointment and her request is rejected by the respondents on 14-08-2008. Compassionate appointment can be given to any one of the dependents of the deceased Government servant. It was asked for by applicant no.2 but was rejected. In the circumstances, the another dependent cannot claim the said appointment.

9. After having considered the facts and circumstances of the case, I have reached to the conclusion that the applicants have failed in justifying the inordinate delay of around 13 years in

=6= M.A.35/2022 IN O.A.ST.105/2022

approaching this Tribunal. I am, therefore, not inclined to condone the said delay. Hence, the following order:

ORDER

M.A.No.35/2022 is rejected. Consequently, O.A.St.No.105/2022 also stands disposed of. No costs.

**VICE CHAIRMAN**

YUK ORAL ORDER 11.04.2023