

**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: -01/11/2023

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	MA522/22 In OAS951/22	A'bad	Adv Umesh A Bhadgaonkar (Pratik S Dube)	M.A. For Condonation of Delay		15.12.2023
2	TA14/23 WP3098/23	A'bad	Adv.Avinash Deshmukh (Dwarkabai J Aher)	Pay & Allowances	With Office Objection	Disposed of
3	MA425/23 In OAS1366/23	Dhule	Adv.N.L. Chaudhari (Gambhir K Mangale)	M.A. For Condonation of Delay		06.12.2023
4	MA479/23 In OAS1964/23	Jalna	Adv.Vaibhav U Pawar (Chandrashekhar B Kakde & Ors.)	M.A. For Permission Sue Jointly		6.12.2023
5	MA488/23 In OAS2021/23	A'bad	Adv.Vaibhav U Pawar (Sambhaji S Patil & Ors.)	M.A. For Permission Sue Jointly		6.12.2023
6	MA489/23 In OAS2065/23	A'bad	Adv.A.D. Sugdare (Pandit R Matade & Ors.)	M.A. For Permission Sue Jointly		7.12.2023
7	MA509/23 In OA949/23	Dhule	Adv.Avinash S Deshmukh (Hemantkumar P Patil)	M.A. For Amendment		8.11.2023
8	OA807/23	Nanded	Adv.M.R. Kulkarni (Dr. Saleem Hussain Miyan Tambe)	Transfer		28.11.2023

9	OA808/23	A'bad	Adv.Jayant B Choudhary (Shrinivas N Gadappa)	Transfer		28.11.2023
10	OA830/23	Dhule	Adv.M.R. Kulkarni (Dr. Nita K Hatkar)	Transfer		28.11.2023
11	OA843/23	P'bhani	Adv.Mahesh K Bhosale (Bhagwat M Kavhar)	Transfer		4.12.2023
12	OA844/23	P'bhani	Adv.Mahesh K Bhosale (Sunil D Kakde)	Transfer		4.12.2023
13	OA883/23	P'bhani	Adv.Manish P Tripathi (Ajay B Kandre)	Compassionate Appointment (Lad Page Samiti)		7.12.2023
14	OA951/23	Dhule	Adv.J.B. Choudhary (Dr. Sandipbhai J Patel)	Transfer/ Direction		30.11.2023
15	OAS1973/23	Beed	Adv.S.D. Joshi (Dr. Shilpa N Kulkarni)	Joint the Duties/ Directions	with Office Objection	30.11.2023
16	OAS13133/23	Dhule	Adv.Azizoddin R Syed (Girju D Jagtap)	Regularization/ Salary & Other Benefits	With Office Objection	Remove from the board
Order Matters						
17	MA299/20 In OAS1286/20	Hingoli	Adv.Amol A Kokad (Ram S Bajulge)	M.A. For Condonation of Delay	For Taking Instruction For Hearing Reply Filed by R-1 to R- 4	19.12.2023
18	MA306/21 In OAS1305/21 with	A'bad	Adv.Suchita Dhongde (Kiransingh A Pal) <u>Adv.S.B. Mene for R.Nos.3 & 4</u>	M.A. For Condonation of Delay	For Hearing	7.12.2023
19	MA307/21 In OAS1307/21 with	A'bad	Adv.Suchita Dhongde (Trymbak V Chaudhari) <u>Adv. Sunita D Shleke for R.Nos. 2 to 4</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1	7.12.2023

20	MA338/21 In OAS1455/21	Dhule	Adv.Suchita Dhongde (Amol P Jadhav)	M.A. For Condonation of Delay	For Further Consideratio n Reply Filed by R-3	7.12.2023
21	MA399/21 In OAS1725/21	P'bhani	Adv.H.P. Jadhav (Sunanda B Maske & Ors.)	M.A. For Condonation of Delay		15.12.2023
22	MA289/22 In OAS1064/22	A'bad	Adv.P.V. Ambade (Vijay G Palaskar)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 6	14.12.2023
23	MA478/22 In OA650/21	A'bad	Adv.Anand D Kawre (Prakash T Vaichal)	M.A. For Amendment	For Hearing	13.12.2023
24	MA214/23 In OAS1612/23	A'nagar	Adv.M.V. Dhongade/ Adv.R.D. Bhalerao (Babasaheb D Puri) <u>Adv.D.T. Devane for R.Nos.2 to 5</u>	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2 to R- 5	20.12.2023
25	MA258/23 In OAS1758/23	Latur	Adv.R.K. Ashtekar (Bharti V Raut)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-1 to R- 4	8.11.2023
26	MA313/23 In OA76/20	Latur	Adv.R.R. Deshmukh (Shantabai G Kulkarni Died through Her LRs Satish G Kulkarni)	M.A. to Bring LRs. On record with Prayer of abatement		12.12.2023
27	MA505/23 In OA504/23	Nanded	Adv.A.D. Sugdare (Avinash S Panpatte)	M.A. For Directions		11.2023
Due Admission Matters						
28	OA665/21	A'bad	Adv.V.B. Wagh (Shankar S Kale)	Suspension	Part Heard For Hearing Reply Filed by Respondent	12.12.2023
29	OA598/23	Latur	Adv.Sanjaykumar B Bhosale (Dr. Jitendra G Jaiswal)	Directions/ Posting	Part Heard For Hearing Reply Filed by R-1 to R- 4	6.11.2023

30	OA599/23	Hingoli	Adv.S.B. Bhosale (Dr. Devendra R Jaybhaye)	Directions/ Posting	Part Heard For Hearing Reply Filed by R-1 to R- 4	6.11.2023
31	OA613/21	P'bhani	Adv.S.S. Jadhavar (Digambar R Deshpande)	Directions/ Leave	Reply Filed by R-3	15.12.2023
32	OA275/22	A'bad	Adv.Avinash S Khedkar (Sandip D Chavan)	Compassionate Appointment	For Admission	18.12.2023
33	OA478/22	P'bhani	Adv.Shaikh Wajeed Ahmed/ Adv.V.B. Wagh (Deepak A Mudiraj)	Transfer	For Hearing Reply Filed by Respondent	12.12.2023
34	OA510/22	A'bad	Adv.Ajay S Deshpande (Prabhakar S Jagtap)	Time Bound Promotion/ ACPS	For Hearing Reply filed by R-1 to 3	21.12.2023
35	OA871/22	P'bhani	Adv.N.R. Pawade (Santosh A Jadhav)	Leave	For Hearing Reply Filed by R-2	21.12.2023
36	OA1029/22	Latur	Adv.R.P. Adgaonkar (Wajeed Majeed Shaikh)	Minor Punishment/ Increment	For Hearing Reply Filed by R-1 to R- 4	7.12.2023
37	OA1059/22	J'gaon	Adv.Vijay B Patil (Jaiprakash B Ramanand)	Withdrawal of Charge/ Transfer	For Hearing Reply Filed by R-1 to R- 4	14.12.2023
38	TA12/23 WP6494/22	Latur	Adv.Adgaonkar Ravibhushan P. (Kashibai A Shrimangale & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R- 3	7.12.2023
39	OA330/23	A'bad	Adv.V.B. Wagh (Sanjay P Satale)	Leave	For Hearing Reply Filed by R-1	13.12.2023
40	OA396/23	A'bad	Adv.Shrikishan S Shinde (Madhavi S Harne)(Kale)	Transfer	For Hearing Reply Filed by R-1 to R- 4	8.11.2023
41	OA412/23	Latur	Adv.R.A. Joshi (Sadhu K Lohar)	Posting	For Hearing Reply Filed by R-1 to R- 3	

42	OA435/23	J'gaon	Adv.K.B. Jadhav (Vikas K Salve)	Transfer	For Hearing Reply Filed by R-1 to R- 4	28.11.2023
43	OA543/23	A'bad	Adv.Dhananjay Mane (Shaikh Abdul Rizwan Mannan)	Transfer	Await Service of Notice	22.11.2023
44	OA586/23	Nanded	Adv.K.B. Jadhav (Umesh R Kavle)	Transfer	By Way of Last Chance For Filing Affidavit in Reply	6.11.2023
45	OA591/23	A'nagar	Adv.P.B. Umrani (Sanjay P Shinde)	Transfer	For Filing Affidavit in Reply	22.11.2023
46	OA618/23	J'gaon	Adv.K.B. Jadhav (Kishor A Salunke)	Transfer	Civil Services Board will take decision	6.11.2023
47	OA651/23	A'bad	Adv.K.B. Bhise (Shrikant B Borade)	Directions/ Transfer	For Filing Affidavit in Reply	Disposed of
48	OA722/23	A'bad	Adv.Ashish B Rajkar (Aparna A Surywanshi)	Transfer	For Hearing Reply Filed by R-1 to R- 3	6.11.2023
Final Hearing Matters						
49	OA698/17	Jalna	Adv.S.D. Dhongde (Jalamsing D Valvi)	Minor Punishment	Await Service For R-4 (Reissue Notice) Reply Filed by R-2 to R- 4	2.1.2024
50	OA721/17	A'bad	Adv.S.A. Dhongde(Upadhyay) (Subhash K Parlikar)	Deemed Date of Promotion	Reply Filed by R-1 & R- 2	12.12.2023
51	OA158/18	J'gaon	Adv.A.S. Deshpande/ Adv.S.P. Manchekar (Dr.Yogesh U Sathe)	Non Release of Salary	Reply filed by R-1 to R- 3	20.12.2023

52	OA388/18	Nanded	Adv.Prashant Deshmukh (Namdeo P Gawali)	Deemed date of Promotion	Reply Filed by R-2	20.12.2023
53	OA626/18	J'gaon	Adv.Sanket N Suryawanshi (Dilip S Pawar)	Leave/ Salary	For Hearing Reply Filed by R-1, R-3 & R-4	2.1.2024
54	OA40/19	Beed	Adv.Avinash S Deshmukh (Dr. Manisha R Jadhav)	Study Leave	Reply Filed by R-1 to R- 4	20.12.2023
55	OA103/19	J'gaon	Adv.Sanket N Suryawanshi (Balkrishna R Chhallare)	Minor Punishment	Reply Filed by R-1 to R- 3	2.1.2024
56	OA104/19	Dhule	Adv.S.N. Suryawanshi (Shaikh R Shaifoddin)	Salary	Reply Filed by R-2 to R- 4	2.1.2024
57	OA1048/19	Latur	Adv.K.M. Nagarkar (Ramchandra L Kulkarni) <u>Adv.S.B. Mene for R.Nos.2 to 4</u>	Recovery/ Refund of Recovered Amount	Reply Filed by R-3 to R- 4	8.11.2023
58	OA507/20	Dhule	Adv.Suresh D Dhongde (Anil S Burkul)	Leave & Salary	Reply Filed by R-1, R-2 & R-5	12.12.2023
59	OA512/20	Nanded	Adv.Santosh C Bhosale (Shubash L Kadam)	Continuation in Service	Reply Filed by R-1 to R- 3	19.12.2023
60	OA580/20	Hingoli	Adv.S.B. Patil (Dr.Sunita N Pawar)	Study Leave	Short Affidavit in Reply of R- 1 to R-5	20.12.2023
61	OA26/22	Latur	Adv.Shamsunder B Patil (Dr. Eknath D Male)	Transfer	Reply Filed by R-1 to R- 3	8.11.2023

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

Date: -01/11/2023

Time : 03:00 P.M.

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA835/21	A'bad	Adv.S.B. Solanke (Vadilal P Rathod) <u>Adv.S.B. Mene for</u> <u>R.Nos.3 & 4</u>	Compassionate Appointment	Reply Filed by R-2 to R-4	1.12.2023
2	OA522/22	Nanded	Adv.S.B. Jadhav (Shobha B Parodwad & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-4	1.12.2023
3	OA648/22	J'gaon	Adv.Mahesh K Bhosale (Nilesh V Sapkale)	Compassionate Appointment	For Hearing Reply Filed by R-2 & R-3	1.12.2023
4	OA649/22	A'bad	Adv S D Joshi (Prema S Gadve)	Compassionate Appointment	Reply Filed By R-1 & R-2	1.12.2023
5	OA753/22	Nanded	Adv.Amol A Kokad (Shravankumar P Jadhav)	Compassionate Appointment	For Hearing Reply Filed by R-2	1.12.2023
6	OA864/22	Jalgaon	Adv.Vidya A Taksal (Gajanan B Dandge & Ors.)	Compassionate Appointment	For Hearing Reply Filed by R-1 to R-3	1.12.2023
7	OA33/23	Jalna	Adv.S.S. Thombre (Prajakta V Devkule)	Compassionate Appointment	For Hearing Reply Filed by R-3 & R-4	1.12.2023
8	OA81/23	A'bad	Adv K B Jdhav (Vaibhav D Wagh & Ors.)	Compassionate Appointment	For Reply	1.12.2023
9	OA185/23	A'bad	Adv.A.D. Gadekar (Chandrakala W Gaikwad & Ors.)	Compassionate Appointment	Reply Filed by R-1 to R-3	1.12.2023
Final Hearing Matters As Per Order dtd.06.09.2023 at 03.00 p.m.						
10	OA543/19	A'bad	Adv.Ganesh R Jadhav (Shivprasad C Potpalliwar & Ors.) <u>Adv.S.B. Mene for</u> <u>R.Nos. 2 & 3</u>	Compassionate Appointment	Reply filed by R-2 & R-3	1.12.2023

Date: -01/11/2023

S.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	OA491/19	P'rbn	Adv J M Murkute (Satish S More)	Minor Punishment Suspension Period	For Filing Affidavit in Reply	20.12.2023
2	OA535/22	A'bad	Adv V B Wagh (Adikrao S Mane)	Benefits of T.B.P. & Modified A.C.P.S	Reply Filed By R-2 & For Filing Affidavit in Rejoinder	15.12.2023
3	OA671/22	Dhule	Adv S D Dhongde (Kiran S Pawar)	Grant of Leave	By way of One More Last Chance For Filing Affidavit in Reply Ref Order Dtd. 20.01.2023	4.12.2023
4	OA212/23	Hingoli	Adv J S Deshmukh (Dr. Santosh P Pardeshi)	Leave & Increments	For Filing Affidavit in Reply	20.12.2023
5	OA353/23	P'rbn	Adv V G Pingle (Satyabhama R Ubale)	Recovery/ Refund of Recovered Amount	Way of last Chance for Filing Affidavit in Reply	30.11.2023
6	OA392/23	Latur	Adv R K Ashtekar (Vishnu K Kore)	Transfer	By way of Last Chance For Filing Affidavit in Reply	8.11.2023
7	OA471/23	Nanded	Adv V B Dhage (Govind S Surewad)	Transfer	Reply Filed By R-1 to R-4	8.11.2023
8	OA645/23	P'rbn	Adv Ravindra B Ade (Pralhad V Kurewad)	Direction/ Transfer	For Filing Affidavit in Reply	8.11.2023

9	OA709/23	A'bad	Adv K B Jadhav (Deepak R Chavan) <u>Adv Avinash Deshmukh For R-6</u>	Transfer	For Filing Affidavit in Reply	12.12.2023
10	OA729/23	A'bad	Adv L K Pradhan (Ashok A Keskar)	Fixation of Pay Scale	For Filing Affidavit in Rejoinder	Reserve for orders
11	OA772/23	A'bad	Adv A N Ansari (Vijaya S Nilewad)	Transfer Direction	Last Chance For Filing Affidavit in Reply	8.11.2023
12	OA810/23	Nanded	Adv Uttam Telgaonkar/ Adv Nitin Telgaonkar (Ramkishan G Jakulwar)	Pensionery Benefits	Await Service	19.12.2023
13	OA812/23	P'rbn	Adv S V Suryawanshi (Dr. Ravindra K Deshmukh)	Transfer/Postin g	For Filing Affidavit in Reply	8.11.2023
14	OA821/23	A'bad	Adv Avinash N Barhate Patil (Rajendra V Marale)	Suspension	Await Service	13.12.2023
15	OA912/23	A'bad	Adv S D Joshi (Rajeshri G Ade)	Transfer	Await Service R-3 Returned Addressee Left without instrucation s.	6.11.2023
Order Matter						
16	MA143/23 In OAS459/23	Dhule	Adv V B Wagh (Harshal S Desale)	M.A For Condonation of Delay	For Filing Affidavit in Reply	21.12.2023

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

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

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

And

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

Date:- 1/11/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Supplimentary Board						
1	CP.34/2022 In OA.78/21	A'nagar	Adv.Kakasaheb B. Jadhav (Shubhangi Y. Pawale) Adv.Anuradha S. Mantri R.2	Contempt Petition	Reply filed By R.1&2	6.11.2023
2	OA.491/13	Jalgaon	Adv.S.D. Joshi (Devidas T.Patil)	Recovery/ D.E		6.11.2023

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

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

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

And

THE HON'BLE SHRI. VINAY KARGAONKAR, MEMBER (A)

Date:- 01/11/2023

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Urgent Admission Matters						
1	CPS1706/23 In OA30/21	Jalna	Adv.V.B. Wagh (Kedarnath R Budhwant)	Contempt Petition	with Office Objection	15.02.2023
2	OA526/22	A'bad	Adv.G.A. Rathod (Sachin D Dahihande)	Appointment	For Hearing Reply Filed by R-1 & R-2	
Order Matters						

3	MA277/19 In OASt09/19	Nanded	Adv.A.D. Kaware (Kishan E Vibhute) <u>Adv.R.D. Kulkarni for R.No.7 in OA</u>	M.A. For Condonation of Delay	For Hearing	1.12.2023
4	MA609/19 In OASt2372/19	A'bad	Adv.K.B. Jadhav (Radhabai K Kedare)	M.A. For Condoantion of Delay	For Hearing Reply Filed by R-1 to R-3	14.12.2023
5	MA249/20 In OASt1009/19	Beed	Adv.S.S. Thombre (Bharat S Maher)	M.A. For Interim Relief	For Hearing	4.12.2023
6	MA295/21 In OASt1154/21	Dhule	Adv.Suchita Dhongde (Mrunalini P Jadhav)	M.A. For Condonation of Delay	For Hearing Reply Filed by R-2	15.12.2023
7	MA96/22 In OASt96/22	Nanded	Adv.Vikram Kadam (Panjabrao D Bhosale & Others)	M.A. For Condonation of Delay	For Hearing	1.12.2023
8	MA269/22 In OA407/22	Jalna	Adv.P.S. Anerao (Vijaykumar S Waghmare)	M.A. For I.R.	For Hearing	11.12.2023
9	MA542/22 with MA261/22 With MA257/22 In OA447/22	A'bad	Adv.S.S. Thombre In MA542/22 (Dr.Shivshakti D Pawar) Adv.R.R. Kale/Adv.S.B. Bhosale In MA261/22 & MA257/22 (Dr.Pratap M Shinde & Ors.) <u>Adv.Mohit Deshmukh in OA447/22</u> (Dr. Sanjay K Muley & Ors.) <u>Adv.S.K. Kadam for R.No.2 in OA</u> <u>Adv.Satyaieet S Dixit/Adv.V Sajith Kumar for R.No.3 in OA</u>	M.A. For Intervention in MA542/22 M.A. For Vacating I.R. in MA261/22 M.A. For Intervention in MA257/22	Reply Filed by R-1 to R-9 In MA257/22	28.11.2023
10	MA544/22 In OA762/18	O'bad	Adv.V.V. Deshmukh in MA544/22 (Maharashtra Rajya Bazar	M.A. For Adding Party Respondents Challenging	Affidavit in reply Filed by Petitioners in MA544/22 Reply Filed by R-1	1.12.2023

			Samiti Karmachari Seva Nivrutti Vetan Yojna, Pune Through its CEO, Balasaheb G Katore) <u>Adv.S.D. Joshi in OA762/18</u> (Sahebrao D Deshmukh & Ors.)	G.R.	to R-3 in OA762/18	
11	MA80/23 IN OA826/22	A'bad	<u>Adv.A.D. Sugdare in</u> <u>MA80/23</u> (Prmod B More & Ors.) Adv.Talekar & Associates In OA826/22 (Mujeebkhan Mehboobkhan Pathan) <u>Adv.Ajay Deshpande For R.</u> <u>No.5</u> <u>Adv.D.R. Shelke For R.No.6</u> <u>Adv.Avinash Deshmukh for</u> <u>R.Nos.7 to 8</u> <u>Adv.Maahesh S. Deshmukh For</u> <u>R.Nos. 9 to 28</u>	M.A. For Intervention		
12	MA155/23 In OAS17/23	A'nagar	Adv.K.B.Jadhav (Atul P Bhange)	M.A. For Condonation Of Delay	For Hearing Reply Filed by R-2 to R-5	Remove from board
13	MA197/23 In OA287/20	Nanded	Adv.M.K. Bhosale/ Adv.M.A. Granthi (Shahu S Jaswantsing S Huzurasingh)	M.A. For Amendment		Disposed of
14	MA212/23 In OA837/22	Dhule	Adv.S.M. Sangale (Manisha S Ahire)	M.A. For Amendment		5.12.2023
15	MA232/23 In OA387/22	A'bad	Adv.Vilas S Janephalkar (Ashwini S Jadhav & Ors.)	M.A. For I.R.		
Due Admission Matters						
16	OA786/17	A'bad	Adv.Ajay S Deshpande (Kailash A Pardeshi)	Promotion/ Retirement Benefits	For Hearing Reply Filed by R-1	24.11.2023

17	OA852/17 With	J'gaon	Adv.Talekar & Associates (Nilesh D Kale) <u>Adv.S.S.</u> <u>Thombre/Adv.R.D. Khadap</u> <u>for R.No.5</u>	Appointment/ Selection List	Pending Before Hon'ble High Court	11.1.2022
18	OA853/17	J'gaon	Adv.Talekar & Associates (Ashish N Pardhe) <u>Adv.S.S.</u> <u>Thombre/Adv.R.D. Khadap</u> <u>for R.No.5</u>	Appointment/ Selection List	Pending Before Hon'ble High Court	11.1.2022
19	OA892/18 With	A'bad	Adv.S.S. Thombre (Dhananjay D Chandodkar & Ors.)	Discharge From Service	For Admission Reply Filed by R-1 to R-5	30.11.2023
20	OA901/18	Beed	Adv.S.S. Thombre (Bhagwat S Somase)	Termination	For Admission Reply Filed by R-1 to R-3	30.11.2023
21	OA93/19	A'bad	Adv.J.M. Murkute (Priyanka J Janephalkar)	Appointment	For Hearing Reply Filed by R-4	21.11.2023
22	OA115/19	A'bad	Adv.Satish P Dhobale (Santosh B Jadhav & Ors.)	Seniority	For Hearing	7.12.2023
23	OA218/19	P'bhani	Adv.M.D. Godhamgaonkar (Sharnappa V Mannylikar)	Removal from Service	For Hearing Reply filed by R-1 to R-4	18.12.2023
24	OA274/19	Dhule	Adv.M.R. Wagh (Prashant S Sapkale)	Discharge from Service	For Admission Reply Filed by R-1 & R-2	21.11.2023
25	OA685/19	N'bar	Adv.S.D. Joshi (Shivaji R Thakare)	Departmental Enquiry/ Recovery	For Hearing Reply Filed by R-3	4.12.2023
26	OA760/19	Jalna	Adv.Swapnil A Deshmukh (Vishnu B Jaybhaye)	Major Punishment	For Hearing Reply Filed by R-2 & R-3	18.12.2023
27	OA850/19	Hingoli	Adv.D.G. Kamble/ Adv.K.N. Farooqui (Shrikant K Madilwar)	Departmental Enquiry/ Promotion/ Suspension Allowance	For Hearing Reply Filed by R-2 to R-4	19.12.2023

28	OA183/20	Dhule	Adv.Suresh D Dhongde (Rajendra G Sonawane)	Departmental Enquiry	For Hearing	15.12.2023
29	OA491/20	Dhule	Adv.Vivek G Pingle (Rajnikant D Patil)	Appointment	For Hearing Reply Filed by R-1 to R-5	7.12.2023
30	OA176/21	Beed	Adv.B.V. Thombre/ Adv.S.M. Gunjal (Ganesh B Gambhire)	Promotion	For Hearing	30.11.2023
31	OA01/22	A'bad	Adv.K.G. Salunke (Vishnu B More)	Promotion	For Hearing Reply Filed by R-1 to R-3	24.11.2023
32	OA02/22	Jalna	Adv.K.G. Salunke (Shantilal D Hiwarale)	Promotion	For Hearing Reply Filed by R-1 to R-3	24.11.2023
33	OA162/22	J'gaon	Adv.Maheshkumar S Sonawane (Gopal P Patil)	Selection Process	For Hearing Reply Filed by R-2	20.12.2023
34	OA678/22	J'gaon	Adv.S.P. Dhobale/ Adv.K.P. Shinde (Chandrakant R Shrawane)	Selection/ Appointment	For Hearing Reply Filed by R-4	7.12.2023
35	OA789/22	O'bad	Adv.R.K. Khandelwal (Sukhdeo R Solankar)	Termination	For Admission	7.12.2023
36	OA919/22	Nanded	Adv.Vijay A Dhakne (Rahul R Burrewar)	Directions/ Ad-hoc Promotion/ ACPS	For Hearing Reply Filed by R-2 to R-4	20.12.2023
37	OA952/22	Beed	Adv.A.P. Shejul (Mangesh B Zore) Adv.C.D. Fernandes/Adv.Pramod S Brahmane For R.No.5	Appointment	By Way of Last Chance For Filing Affidavit in Reply Ref. Order dtd.06.07.2023	7.11.2023
38	OA960/22	Beed	Adv.A.P. Shejul (Siddheshwar P Darade) Adv.C.D. Fernandes/Adv.Pramod S Brahmane For R.Nos. 4 & 5	Appointment	By Way of Last Chance For Filing Affidavit in Reply Ref. Order dtd.06.07.2023	7.11.2023
Final Hearing Matters						

39	OA689/15	O'bad	Adv.S.B. Talekar (Dr.Shrikant B Tambe) <u>Adv.Pradeep R Patil for R.No.5</u> <u>Adv.V.B. Wagh for R.No.6</u>	Selection	Reply Filed by R-1 to R-4 & R-6	24.11.2023
40	OA471/18	Jalna	Adv.S.D. Joshi (Raosaheb K Pangre)	Selection/ Appointment	For Final Hearing Reply Filed by R-4 & R-5	22.11.2023
41	OA472/18	Jalna	Adv.Kakasaheb Jadhav (Kishor G Lalsare)	Dismissal	For Final Hearing Reply Filed by R-1 to R-4	14.12.2023
42	OA903/18	A'bad	Adv.Abhishek C Deshpande (Dr.Jalindar S Ambhore)	Selection Process	Reply Filed by R-1 & R-2	15.12.2023
43	OAA385/19	Dhule	Adv.P.B. Rakhunde (Suresh U Nande)	Removal From Service	Reply Filed by R-2 & R-3	11.12.2023
44	OA531/19	Nanded	Adv.Shamsunder B Patil (Nagnath V Hatkar & Ors.)	Termination	Reply Filed by R-1 to R-5	12.12.2023
45	OA505/20	O'bad	Adv. A.S.Deshmukh (Madan D Dube) <u>Adv S.B.Patil For R.No.3</u>	Dismissal	Reply Filed by R-1 to R-3	21.11.2023

Date: -01/11/2023

D.B. For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	Next date
Due Admission Matters						
1	CP02/23 In OA1099/19	O'bad	Adv D N Kakade (Ramraje G Pawar)	Contempt Petition	For Filing Affidavit in Reply	14.12.2023
2	CP29/23 In OA876/16	A'nagar	Adv M S Bhosale (Anirudha R Govhane)	Contempt Petition	For Filing Affidavit in Rejoinder	14.12.2023
3	CP31/23 In OA603/21	A'bad	Adv A V Thombre (Sumit G Dongre & Ors.)	Contempt Petition	Await Service & Further Consideration	8.11.2023

4	OA792/21	A'bad	Adv.K.B. Jadhav (Rajendra B Pawar)	Pay Fixation/ Revision of Pay	One More Last Chance For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed R-3 <u>Ref Order Dtd.</u> <u>27.06.2023</u>	4.12.2023
5	OA388/22	Beed	Adv.S.S. Jadhavar (Sunil P Jaybhaye)	Expunge of Adverse Remarks	As a Last Chance For Filing Affidavit in Rejoinder	15.12.2023
6	OA393/22	Beed	Adv.S.S. Jadhavar (Deepak V Chatap)	Revised ACPS Yojna	As a Last Chance For Filing Affidavit in Reply	15.12.2023
7	OA445/22	Nanded	Adv.R.A. Joshi (Shilpa S Dhanmane & Ors.)	Examination	Await Service R-1 & R-3 <u>Ref Order</u> <u>Dtd.</u> <u>03.02.2023</u>	18.12.2023
8	OA515/22	Jalna	Adv J S Deshmukh (Sachin V Hingole & Ors.)	Examination	As a Last Chance For Filing Affidavit in Rejoinder <u>Ref Order Dtd.</u> <u>13.06.2023</u>	18.12.2023
9	OA1053/22	Dhule	Adv.R.L. Jakhade/ Adv.S.A. Kulkarni (Vilas R Malche)	Dismissal Period	As a Last Chance For Filing Affidavit in Reply R-1 & R-3	19.12.2023
10	OA132/23	A'bad	Adv A S Deshpande (Haridas G Kamble & Ors.)	Promotion (Kotwal)	Await Service	19.12.2023
11	OA206/23	A'nagar	Adv.J.B. Choudhary (Anil R Jadhav)	Promotion	For Filing Affiavit in Reply	11.12.2023
12	OA207/23	A'nagar	Adv.J.B. Choudhary (Baliram T Barhe)	Promotion	For Filing Affiavit in Reply	11.12.2023
13	OA945/23	P'rbn	Adv S S Jadhavar (Sunil M Lande & Ors.)	Selection Process	Notice Not Collected	28.11.2023
14	O960/23	Jalna	Adv S S Jadhavar (Mahadu R Munmane)	Selection Process	Notice Note Collected	28.11.2023
Order Matter						
15	MA87/23 In OA259/21	A'bad	Adv C V Dharurkar (Megharani P Tarkase & Ors.) <u>Adv A S Deshmukh For</u> <u>R-4 & R-5 in OA</u>	M.A For Direction	For Filing Affidavit in Reply & Await Service R-5	7.12.2023

ORIGINAL APPLICATION NO. 176 OF 2021
(Ganesh B. Gambhire Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Heard Shri B.V. Thombre, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. In the present matter the respondents have placed on record the 'Driver (Motor Car and Jeeps), Group-C Recruitment Rules, 2017' notified on 02.03.2017. As per the said Rules, the person to be appointed or promoted to the post of Driver must have educational qualification as SCC passed. According to the contention of the present applicant, previously the educational qualification prescribed was 4th Std. However, the said rules are not placed on record. Learned counsel submitted that the applicant is unable to place the said rules on record.

3. In the circumstance, learned P.O. is directed to place on record the rules, which were holding the field prior to giving effect to the Rules 2017 notified on 02.03.2017.

4. S.O. to 30.11.2023 for hearing.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 651 OF 2023
(Shrikant Bhimrao Borade Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri K.B. Bhise, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The applicant is working as Dental Hygienist and is presently working at Government Dental College and Hospital, Aurangabad. He was transferred to Aurangabad vide transfer order dated 31.05.2019. It is the contention of the applicant that his old aged mother is depending upon him and she requires day to day attention. According to the applicant, he could not bring his mother and other family members at Aurangabad and they are residing at Kalyan, since the treatment of the mother is being done at the said place. It is the contention of the applicant that after having completed period of 4 years at Aurangabad, he made a request vide letter dated 20.01.2023 praying for his transfer at Mumbai. It is the grievance of the applicant that despite having availability of post there, his request has not been considered.

//2//

O.A. No. 651/2023

3. Considering the contentions raised in the O.A. and after having gone through the documents filed on record, it appears to me that the present Original Application can be disposed of by directing the respondents to consider the representation of the applicant filed by him on 20.01.2023 on its own merit within a period of 8 weeks from the date of this order.

4. The O.A. stands disposed of with the above direction without any order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 678 OF 2022
(Chandrakant Ramesh Shrawane Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Shri S.P. Dhobale, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 07.12.2023 for hearing.

MEMBER (A)

VICE CHAIRMAN

**C.P.ST.NO. 1706 OF 2023 IN O.A.NO. 30 OF 2021
(Kedarnath Ramnaji Budhwant Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Heard Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant seeks leave to delete the prayer clause 'C'. Leave as prayed for is granted. The applicant shall delete the prayer clause 'C' forthwith.
3. Issue notices to respondents to C.P., returnable on 15.12.2023.
4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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C.P.St. 1706/2023 In
O.A. 30/2021

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 15.12.2023.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

- (1) **ORIGINAL APPLICATION NO. 952 OF 2022
(Mangesh Balu Zore Vs. State of Maharashtra &
Ors.)**
- (2) **ORIGINAL APPLICATION NO. 960 OF 2022
(Siddeshwar P. Darade & Anr. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Shri A.P. Shejul, learned counsel for the applicants in both the matters and M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, are present.

Shri C.D. Farnandes/P.S. Brahmane, learned counsel for respondent No.5 in O.A.No. 952/2022 and for respondent Nos. 4 & 5 in O.A.No. 960/2022, is **absent**.

2. Learned C.P.O. has tendered affidavits in reply on behalf of respondent No.3 in both the O.As. The same are taken on record and copies are given to learned counsel for the applicants.
3. List the matter for hearing on 07.11.2023.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 02 OF 2022
(Shantilal D. Hiwarale Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 24.11.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 01 OF 2022
(Vishnu B. More Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

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

2. S.O. to 24.11.2023 for hearing. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 945 OF 2023
(Sumit Madhukarrao Lande & Ors. Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicants submits that inadvertently the notices could not be collected and has prayed for issuance of fresh notices.
3. At the request of learned counsel for the applicants, issue fresh notices to respondents, returnable on 28.11.2023.
4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
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.

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O.A. 945/23

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. S.O. to 28.11.2023.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 960 OF 2023
(Mahadu Ramnath Munman Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Heard Shri P.G. Tambade, learned counsel holding for Shri S.S. Jadhavar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that inadvertently the notices could not be collected and has prayed for issuance of fresh notices.
3. At the request of learned counsel for the applicant, issue fresh notices to respondents, returnable on 28.11.2023.
4. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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O.A. 960/23

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
8. S.O. to 28.11.2023.
9. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**O.A.NO. 287 OF 2020 WITH M.A.NO. 197 OF 2023
(Shahu S. Jaswantsingh S. Huzurasingh Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Heard Shri M.K. Bhosale, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant submits that in the present Original Application the prayer of the applicant was for his promotion. It is further contended that during pendency of the present Original Application, the applicant has been promoted and as such the purpose of filing the present Original Application has been satisfied. Learned counsel however further submits that while granting promotion, deemed date has not been granted, though the same must have been granted. In the circumstances, the applicant has preferred the Misc. Application seeking amendment in the Original Application.

3. After having heard the learned counsel for the applicant, it appears to us that the purpose of filing the Original Application is served. When the

//2// O.A. 287/2020 In
M.A. 197/2023

applicant has been given promotion, the very purpose of filing the application stands served. If at all the applicant is not fully satisfied with the said order and if desires to seek further relief of deemed date, he is not precluded from filing the separate Original Application. Hence, the following order:-

ORDER

- (A) The present Original Application stands disposed of being infructuous without any order as to costs.
- (B) The Misc. Application is permitted to be withdrawn with liberty to file separate Original Application if required. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

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

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

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

2. Learned counsel for the applicant seeks time to work out the matter in view of the subsequent development occurred. Time granted.
3. S.O. to 04.12.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 912 OF 2023
(Rajeshri Ganpatrao Ade Vs. State of Maharashtra &
Ors.)**

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

DATE : 01.11.2023

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. Learned C.P.O. submits that during course of the day the affidavit in reply on behalf of respondent No.2 will be filed. If it is so filed, it be taken on record and copy be given to learned counsel for the applicant.

3. List the matter for hearing on 06.11.2023. In the meanwhile it would be open for the applicant to file rejoinder affidavit, if she so desires.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 491 OF 2020
(Rajnikant Dagdu Patil Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Shri V.G. Pingle, 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 sur-rejoinder on behalf of respondent Nos. 1 to 5 to the rejoinder filed by the applicant. The same is taken on record and copy thereof has been served on the learned counsel for the applicant.
3. S.O. to 07.12.2023 for hearing.

MEMBER (A)

VICE CHAIRMAN

**O.A.NOS. 966 TO 972, 974 TO 979 & 463 ALL OF
2019 AND 537 OF 2020
(Prakash Vinayakrao Deshpande & Ors. Vs. State of
Maharashtra & Ors.)**

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

DATE : 01.11.2023

ORAL ORDER :

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

2. The present matter is not on board. At the request of learned counsel for the applicants it is taken on board. This motion is moved for speaking to minutes. In the order passed by this Tribunal on 11.10.2023 in paragraph Nos. 5, 10 and in the operative part of the order, the Writ Petition No. 1836 is mentioned of the order '2014' whereas the said Writ Petition is of the year '2009'. The aforesaid correction be carried out at all the three places and corrected copy of order be immediately issued to all the concerned. The motion speaking to minutes stands disposed of.

VICE CHAIRMAN

O.A. NO. 826 OF 2022 with M.A. 80/2023
(Mujeebkhan Mehboobkhan Pathan & Anr. Vs. State of
Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)

DATE : 01.11.2023

ORAL ORDER :

Heard Ms. Anagha Pandit, learned counsel holding for Shri S.B. Talekar, learned counsel for the applicants, Shri A.D. Sugdare, learned counsel for applicants/intervenors in M.A. No. 80/2023, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri D.R. Shelke, learned counsel for respondent No. 6, Shri Saket Joshi, learned counsel holding for Shri Avinash Deshmukh, learned counsel for respondent Nos. 7 to 8.

Shri Ajay Deshpande, learned Advocate for respondent No. 5 and Shri Mahesh Deshmukh, learned Advocate for respondent Nos. 9 to 28, are **absent**.

2. When the present matter is taken up for consideration, the learned counsel appearing for the applicants and learned C.P.O. both have jointly prayed for disposal of the present Original Application finally in view of order passed by the

//2// O.A.826/2022 with
M.A. 80/2023

Division Bench at Principal seat of this Tribunal in O.A.No. 891/2021. The order passed in the said O.A. is placed on record. It is contended that the applicants in the present matter are similarly situated candidates with the applicant in the aforesaid O.A. In O.A.No. 891/2021, the following order is passed:-

“1. Heard Ms. Neha Kanchi i/b Shri S.B. Talekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O. for the Respondents.

2. Learned counsel for the applicant submits that the seniority list is finalized by the Respondents on 15.6.2023 and the applicant has no objection about the said seniority list.

3. Learned counsel submits that the matter can be disposed of with directions to the Respondents to consider the case of the applicant for promotion on the basis of seniority.

4. We make it clear to the learned counsel for the applicant in presence of the applicant that promotions are always given on the basis of seniority, but by following the rules and considering the C.Rs.

5. The Original Application is disposed of with directions to the Respondents that promotions be given on the basis of seniority

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O.A.826/2022 with
M.A. 80/2023

by following the rules and in accordance with the law within six months from the date of this order.”

3. The similar order is sought in the present matter jointly by the applicants and learned C.P.O.

4. Shri A.D. Sugdare, learned counsel is appearing in the present matter for some of the private respondents. He opposed for passing such order. According to him, the list has not yet been finalized. It is further contended by him that if at all the application is to be disposed of finally, it shall not prejudicially affect the interest of the private respondents. On similar grounds learned counsel Shri D.R. Shelke has also opposed for disposal of the application on request of the applicants.

5. We have carefully considered the submissions made on behalf of the parties. The list which according to the applicants is the final seniority list is placed on record. The title of it however reveals that it is the 'provisional final seniority list'. However when the applicant is not intending to prosecute the matter further and is not having any objection to the aforesaid provisional final seniority

//4//

O.A.826/2022 with
M.A. 80/2023

list published, we see no reason for keeping the present matter pending. If at all the respondents have any grievance they are not remediless.

6. Learned counsel for the applicants submits that the seniority list finalized by the respondents on 15.06.2023 is correct and the applicants do not have any objection in regard to the said seniority list. Learned counsel for the applicants in the circumstances has prayed for disposal of the present Original Application with directions to the respondents to effect the promotions on the basis of seniority. It has to be clarified that while granting promotions along with seniority certain other factors are also to be considered. The promotions are to be made in accordance to the provisions under the rules and considering the performance of the employees.

7. In view of above, the following order is passed:-

ORDER

(A) The Original Application is disposed of with directions to the Respondents that

//5// O.A.826/2022 with
M.A. 80/2023

promotions be given on the basis of seniority by following the rules and in accordance with the law within six months from the date of this order.

- (B) Since the Original Application itself is disposed of today, nothing survives in the M.A. and the same also stands disposed of.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 206 OF 2023
(Anil R. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply. Time granted.

3. S.O. to 11.12.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 207 OF 2023
(Baliram Tukaram Barhe Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 01.11.2023

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. Learned P.O. seeks time to file affidavit in reply. Time granted.
3. S.O. to 11.12.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 892 OF 2018
(Dhananajay D. Chandodkar & Ors. Vs. State of Mah. & Ors.)
WITH
ORIGINAL APPLICATION NO. 901 OF 2018
(Bhagwat S. Somase Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 1.11.2023

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 30.11.2023. Interim relief granted earlier in O.A. No. 892/2018 to continue till then.

MEMBER (A)

VICE CHAIRMAN

**O.A. NO. 447/2022 WITH M.A.ST.NO. 2166/2023
WITH M.A.NO. 542/2022 WITH M.A.NO. 261/2022
WITH M.A.NO. 257/2022
(Dr. Sanjay Kumarrao Muley & Ors. Vs. State of Mah. & Ors.)**

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

**and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 1.11.2023

ORAL ORDER :

Shri Mohit R. Deshmukh, learned counsel for the applicants in M.A.ST. 2166/2023, Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicants in M.A. No. 542/2022, Shri S.B. Bhosale, learned counsel for the applicants in M.A. Nos. 261 & 257 both of 2022, Shri S.K. Kadam, learned counsel for respondent No. 2 in O.A. and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, are present.

Shri Satyajeet S. Dixit, learned counsel for respondent No. 3 in O.A., **absent**.

2. Today, when the present O.A. along with M.A. St. No. 2166/2023 is taken up for consideration, the learned counsel Shri Kadam appearing for the National Medical Commission (respondent No. 2 in O.A.) tendered the communication received from the said respondent. It is taken on record. Learned counsel Shri Kadam submitted that as per information contained in the said communication the degree which

applicants are holding is not post-graduate degree. The National Medical Commission was required to file affidavit in reply on the following aspect:-

“C. Notices may kindly be issued to newly added respondent Nos. 2 and 3 with specific directions to file affidavit in reply on the point as to whether Master of Public Health (MPH) of Shri Chitra Tirunal Institute for Medical Sciences and Technology, Trivendrum is a Post Graduate Degree as per Gazette Notification dated 08/12/2010 and 14/11/2022 read with Public Notice dated 15/12/2022 issued by National Medical Commission (Erstwhile Medical Council of India).”

3. Learned counsel for the Commission submits that such affidavit will be submitted on the next date and sought time till 28.11.2023.

4. Learned counsel for the applicants submits that despite there being specific order directing the respondents to consider the present applicants for promotion to the post of District Health Officer, in the last DPC, their names were not considered and the DPC which is now to be held also may not consider the names of the applicants since no information in their regard has been called as has been called in respect of other candidates. In the circumstances, according to the learned counsel, there is every apprehension that

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the applicants may not be considered for their appointment on the said post.

5. In the present matter the crucial aspect is equivalence of the degree which the applicants are holding. According to the applicants, it is post-graduate degree; whereas according to the respondents, it is diploma. The said issue can be effectively adjudicated only after the affidavit in reply is filed by the National Medical Commission. As noted hereinabove time has been granted to the National Medical Commission for filing its affidavit in reply till 28.11.2023

6. In the aforesaid circumstances, we deem it appropriate to pass the following order: -

ORDER

(i) The National Medical Council shall file its affidavit in reply on the aspect as reproduced hereinabove on or before 28.11.2023.

(ii) Copy of the affidavit in reply to be submitted on behalf of the respondents shall be given to all the concerned in advance, so if possible, the matter can be heard on 28.11.2023 itself.

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(iii) In the meanwhile if the DPC is held and the proposals are considered, the decisions in regard to 9 posts shall be kept in abeyance till the next date.

MEMBER (A)

VICE CHAIRMAN

LATER ON

1. In the afternoon session learned Presenting Officer, as well as, learned counsel Shri S.B. Bhosale pointed out that applicant Nos. 7 & 9 since are not the applicants in O.A. hence cannot be applicants in the M.A. The order passed in O.A. on 6.5.2022 is brought to my notice which specifically reveals that the names of applicant Nos. 7 & 9 were permitted to be deleted on the leave asked therefor.

2. In the circumstances, direction earlier given to keep 9 posts vacant is modified to the extent of 7 posts.

3. S.O. to 28.11.2023.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 155/2023 IN O.A.ST.NO. 517/2023
(Atual P. Bhange Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
and
Hon'ble Shri Vinay Kargaonkar, Member (A)**

DATE : 1.11.2023

ORAL ORDER :

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

2. The present case be removed from the board.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 387/2022
(Ashwini Sudam Jadhav & Ors. Vs. State of Mah. & Ors.)

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

DATE : 1.11.2023

ORAL ORDER :

Heard Shri Vilas S. Janephalkar, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. The grievance of the present applicants is that though their names are included in the list of selected candidates, they have not yet been given appointments. All the applicants claim that they are belonging to S.T. category.

3. In the affidavit in reply the respondents have clarified why the applicants have not yet been given appointment. We deem it appropriate to reproduce paragraph Nos. 5, 7 & 10 of the reply, which read thus:-

“05. As regards to the contents of Para No. 2 of the Original Application, I say and submit that the contents of this para are denied in toto. It is specifically denied that, the subject matter of the order against which they want redressal is within jurisdiction of the Hon’ble Tribunal. The present

matter is devoid of merit for want of limitation. Therefore, this Hon'ble Tribunal is having no jurisdiction to entertain this application. Hence, it is liable to be rejected with costs.

07. As regards to the contents of Para No. 4.1 to 4.6 of the Original Application, I say and submit that the contentions raised by the applicant in these paras are matter of record. I further most humbly say and submit that, the applicants have concealed the material facts regarding the other conditional clauses in the said advertisement dated 08.02.2018 particularly Clause No. A, B and E which contained that, the said posts of police peon mentioned in the chart have been announced by calculating the possible/proposed vacancies till the end of 31.12.2018 and the candidates appearing in the final selection list in the order of category wise merit will be appointed to the category wise candidates as soon as the posts become vacant on the establishment of this entity. It is also specifically contended in this clause that, the inclusion of a candidate's name in the final selection list should not be construed as conferring the right to appointment.

*10. I say and submit that, the candidate mentioned by the applicants namely Smt. Doprada Pandurang Dhumale is at Sr. No. 39 in the final list who is senior to the applicants. The applicant No.1 is at Sr. No. 40 in **final list**. The applicant No. 2 is at Sr. No. 6 in **waiting list**. The applicant No.3 is at Sr. No. 43 in **final list**. The applicant No. 4 is at Sr. No. 4 in **waiting list** and the applicant No. 5 is at Sr. No. 42 in **final list**. Therefore, as per the said final list the selected candidate will be appointed on the posts which will be vacated as per seniority and after the final selected candidates and candidates in waiting list will be recruited in service. Therefore, the respondents have no any*

fault or role in the process of appointment of the applicants which is shown adversely in the present application. No any adverse action has been taken by the respondents against the applicants.

3. The respondents have not denied the claim of the applicants. It is their contention that it was clarified to all the candidates that the appointments would be made in order of merit as the vacancies would occur. The respondents have specifically contended that none of the candidates junior to the present applicants has yet been appointed from the said category. A specific question was asked to the learned counsel, whether any candidate, having less marks than the present applicants has been given appointment from the category of S.T.?, The learned counsel submits that nothing such has happened. In the circumstances it appears to us that the relief as has been prayed in the present O.A. cannot be granted. In fact there was no cause of action for the applicants to approach this Tribunal when in the advertisement itself it was clarified that appointments will be made at the occurrence of the vacancies at the respective places. Moreover, when none of the junior to the applicants has been appointed from the category of S.T. to which the applicants belong, there seems no reason for the applicants to raise any grievance. Secondly, the respondents in their affidavit in reply have clarified

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that as and when post will become available the candidates in the merit list, as well as, in the waiting list will be recruited.

4. After having considered the facts as aforesaid it is quite evident that there was no cause of action for the applicants to file the present O.A. Hence, the following order: -

ORDER

The Original Application stands dismissed being without any merits. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

M.A.NO. 232/2023 IN O.A.NO. 387/2022
(Ashwini Sudam Jadhav & Ors. Vs. State of Mah. & Ors.)

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

DATE : 1.11.2023

ORAL ORDER :

Heard Shri Vilas S. Janephalkar, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Since Original Application itself is disposed of today, nothing survives in the present M.A. and the same also stands disposed of. There shall be no order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 1.11.2023-hdd

T.A. NO. 14/2023 (W.P. NO. 3098/2023)
(Smt. Dwarkabai J. Aher Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

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

2. The learned counsel for the applicant on instructions seeks leave to withdraw the present Original Application. Hence, I pass the following order :-

ORDER

The Original Application stands disposed of since withdrawn without any order as to costs.

VICE CHAIRMAN

**M.A. NO. 425/2023 IN O.A. ST. NO. 1366/2023
(Gambhir K. Mangale Vs. State of Maharashtra & Ors.)**

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri N.L. Choudhari, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents in the Misc. Application, returnable on 6.12.2023.

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 6.12.2023.

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

VICE CHAIRMAN

**M.A. NO. 479/2023 IN O.A. ST. NO. 1964/2023
(Chandrashekhar B. Kakde & Ors. Vs. State of Maharashtra
& Ors.)**

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel for the applicants and Shri M.P. Gude, learned 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, and 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.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 1964/2023
(Chandrashekhar B. Kakde & Ors. Vs. State of Maharashtra
& Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 6.12.2023.

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 6.12.2023.

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

VICE CHAIRMAN

**M.A. NO. 488/2023 IN O.A. ST. NO. 2021/2023
(Sambhaji S. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel 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, and 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.

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 2021/2023
(Sambhaji S. Patil & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri Vaibhav U. Pawar, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 6.12.2023.

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 6.12.2023.

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

VICE CHAIRMAN

**M.A. NO. 489/2023 IN O.A. ST. NO. 2065/2023
(Pandit R. Matade & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel 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, and 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.

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 2065/2023
(Pandit R. Matade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 7.12.2023.

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 7.12.2023.

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

VICE CHAIRMAN

**M.A. NO. 509/2023 IN O.A. NO. 949/2023
(Hemantkumar P. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Sachin Deshmukh, learned counsel for respondent no. 3.

2. Before issuance of even first orders in the Original Application, the present Misc. Application has been filed seeking amendment in the O.A. Learned counsel submits that the Original Application has been filed challenging the order, whereby the applicant has been transferred from Local Crime Branch to Cyber Police Station within the area of Dhule and during pendency of the said application, the Special Inspector General of Police, Nashik Region has issued an order thereby transferring the applicant from Dhule to Nandurbar. The applicant intends to bring the said information on record and to challenge the subsequent order also.

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M.A. NO. 509/2023 IN
O.A. NO. 949/2023

3. Considering the fact that the evens, which occurred after filing the O.A., are intended to be taken on record, the amendment is allowed. The necessary amendment be carried out in the O.A. within 2 days.

4. The learned counsel also seeks leave to add the Special Inspector General of Police, Nashik Region as party respondent in the O.A. Leave granted.

5. In view of above, the Misc. Application stands disposed of without any order as to costs.

VICE CHAIRMAN

O.A. NO. 949/2023
(Hemantkumar P. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Sachin Deshmukh, learned counsel for respondent no. 3.

2. After the amendment is carried out, issue notice to respondents, returnable on 8.11.2023.
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 8.11.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 807/2023

(Dr. Saleem Hussain Miyan Tambe Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. Due to paucity of time the present matter could not be heard.

3. S.O. to 28.11.2023. The interim relief, if any, granted earlier to continue till then.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 808/2023
(Shrinivas N. Gadappa Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Due to paucity of time the present matter could not be heard.

3. S.O. to 28.11.2023. The interim relief, if any, granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 01.11.2023

ORIGINAL APPLICATION NO. 830/2023
(Dr. Nita K. Hatkar Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Due to paucity of time the present matter could not be heard.

3. S.O. to 28.11.2023. The interim relief, if any, granted earlier to continue till then.

VICE CHAIRMAN

ARJ ORAL ORDERS 01.11.2023

ORIGINAL APPLICATION NO. 883/2023
(Ajay B. Kandere Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri M.P. Tripathi, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. Issue notice to respondents, returnable on 7.12.2023.
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 7.12.2023.
8. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 951/2023
(Dr. Sandipbhai Patel Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri J.B. Choudhary, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The applicant though has been posted and relieved from his earlier post could not join at the transferred post because of non-availability of the post. Learned counsel for the applicant pointed out that the respondent no. 4 has forwarded a proposal on 20.10.2023 in regard to accommodating the applicant on the other vacant post.

3. In the circumstances, while issuing notice to the respondents, **I deem it appropriate to direct the respondents to take decision on the recommendation so made by respondent no. 4**, returnable on 30.11.2023.

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

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O.A. NO. 951/2023

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

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

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

8. S.O. to 30.11.2023.

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

VICE CHAIRMAN

**ORIGINAL APPLICATION ST. NO. 3133/2022
(Girju D. Jagtap Vs. State of Maharashtra & Ors.)**

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri Azioddin R. Syed, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Removed from board.

VICE CHAIRMAN

ARJ ORAL ORDERS 01.11.2023

ORIGINAL APPLICATION NO. 729/2023
(Ashok A. Keskar Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri L.K. Pradhan, learned counsel for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. Arguments of both the sides are concluded.
The matter is reserved for orders.

VICE CHAIRMAN

ARJ ORAL ORDERS 01.11.2023

ORIGINAL APPLICATION NO. 412/2023
(Sadhu K. Lohar Vs. State of Maharashtra & Ors.)

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

DATE : 01.11.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned counsel for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. The grievance of the applicant is that despite his representation and request, he has been given posting on his promotion at the inconvenient place. The applicant claims to be a differently abled person. Earlier the applicant was working at Nilanga in Latur District and on promotion has been posted at Beed. It is the contention of the applicant that even before issuance of promotion order, he was requesting the respondents for retaining him in Latur District on his health ground. Since, however, his request has not been considered, the applicant has preferred the present Original Application.

3. The learned counsel for the applicant submitted that considering the fact that the applicant belongs to differently abled person category, his case requires to be considered

differently. Learned counsel submits that at the relevant time as was told to the applicant, the post was not available at Latur since Shri S.N. Gaikwad was given posting at the said place on promotion. The learned counsel submits that now it has come on record that the promotion of Shri S.N. Gaikwad has been cancelled and consequently the post at Latur is still vacant. In the circumstances, learned counsel has prayed for directions against the respondents to consider the request of the applicant for his posting at Latur.

4. Learned Presenting Officer opposed the contentions raised on behalf of the applicant. Learned P.O. submitted that the applicant is in District Latur since about 20 years. Learned P.O. further submitted that on promotion the employee concerned has to join at the place where he has been given posting on promotion or else he has to refuse the promotion. Learned P.O. submits that the Civil Services Board, which is a competent independent body, has recommended the posting of the applicant at Beed. In such circumstances, no case is made out by the applicant for grant of interim prayer.

5. I have duly considered the submissions made on behalf of the applicant and the respondent authorities. It is not in dispute that the applicant has worked in Latur District for a quite long period. On promotion the employee concerned has to join at the place where he is posted after his promotion and if he is unwilling to join on the post, he has to deny the promotion. As is revealing from the record, after promotion the applicant resumed at Beed and he is pursuing his request thereafter.

6. The cases of the employees falling in the category of disabled are to be considered sympathetically and sensitively. The applicant has joined at the transferred place and has been working there. Having regard to the fact that the applicant bears the physical disability, if it is possible and if otherwise there is no impediment, the respondents shall consider the request of the applicant on its own merit and communicate him the decision.

7. With the above observations, the present Original Application stands disposed of. There shall be no order as to costs.

VICE CHAIRMAN

